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SEVENTH SESSION OF THE FOURTH LEGISLATIVE COUNCIL UNDER THE GOVERNMENT OF INDIA ACT, 1919.

27th, 28th, 29th and 31st August and 1st, 2nd, 3rd and 4th September 1936.

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

His Excellency Lord ERSKINE, G.C.I.E. Took his seat on the 15th November 1934. *On leave.*

His Excellency Rai Bahadur Sir KURMA VENKATA REDDI NAYUDU, *Kt.—Acting.* Took his seat on the 18th June 1936.

MEMBERS OF THE EXECUTIVE COUNCIL.

1. The Hon. Rao Bahadur A. T. Pannirselvam, Law Member. Took his seat on the 16th August 1934 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the Province.
2. Provincial law reports.
3. Administrator-General and Official Trustees.
4. Elections for Indian and Provincial Legislatures under the existing constitution.
5. Escheats.
6. Coroners.
7. Treasure-trove.
8. Non-judicial and judicial stamps.
9. Prisons and prisoners.
10. Industrial matters included under the following heads :—
    - (*a*) Electricity, including hydro-electric schemes.
    - (*b*) Factories.
    - (*c*) Settlement of labour disputes.
    - (*d*) Boilers.
    - (*e*) Gas.
    - (*f*) Smoke nuisances.
    - (*g*) Welfare of labour including depressed classes.
11. Minor ports.

II.—Central Subjects.

1. Civil law.
2. Inventions and designs.
3. Copyright.
4. Criminal law.
5. Major ports.
6. Shipping and navigation.
7. Lighthouses.
8. Port quarantine and marine hospitals.

2. The Hon. Sir CHARLES SOUTER, K.C.I.E., C.S.I., I.C.S., Member in charge of Revenue. Took his seat on the 3rd January 1935 :—

I.—Provincial Subjects.

1. Land Revenue administration as described under the following heads, namely :—
   - (*a*) Assessment and collection of land revenue.
   - (*b*) Maintenance of land records. Survey for revenue purposes. Records of rights.
   - (*c*) Laws regarding land tenures. Relations of landlords and tenants. Collection of rents.
   - (*d*) Court of Wards encumbered and attached estates.
   - (*e*) Land improvement and agricultural loans.
   - (*f*) Colonization and disposal of Crown lands.
   - (*g*) Management of Government estates.
   - (*h*) Panchayat forests.
2. Yeomiahs, inams and hereditary pensions.
3. Water-supplies, irrigation and canals, drainage and embankments. Water storage and water power.
4. Inland waterways including shipping and navigation thereon.
5. Economic condition including wages and prices and famine-relief.
6. Land acquisition, excepting notifications under sub-section (1) of section 4 and declarations under sub-section (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said sub-sections appertains to a transferred subject.
7. Development of mineral resources.
8. Protection of wild birds and animals.
9. Pounds and prevention of cattle trespass.
10. Provincial Gazetteers.
11. Agency tracts.
12. Laccadives.
13. European and Anglo-Indian education.
14. Fortnightly reports and preliminary special reports to the Government of India.
15. General service questions.
16. Office procedure.
17. Secretariat.
18. Matters of a general nature not allocated elsewhere.

II.—Central Subjects.

1. Geological survey.
2. Mineral development.
3. Botanical survey.
4. Survey of India.
5. Zoological survey.
6. Meteorology.
7. Census and Statistics.
8. Territorial changes.
9. Immovable property in possession of the Governor-General in Council.
10. All-India services.
11. Public Services Commission.

3. The Hon. Sir GEOFFREY BRACKEN, K.C.I.E., C.S.I., I.C.S., Finance Member. Took his seat on the 19th March 1935 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Provincial finance.
2. Pensions.
3. Local Fund audit.
4. Preservation and translation of ancient manuscripts.
5. Central Record Office.

II.—Central Subjects.

1. (*a*) Defence of India.
   (*b*) Naval and Military works and cantonments.
2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz.
3. Relations with States in India.
4. Political charges.
5. Communications.
6. Posts and telegraphs and telephones, including wireless installations.
7. Sources of all-India revenues.
8. Currency and coinage.
9. Public debt of India.
10. Savings banks.
11. Indian Audit Department.
12. Commerce, including Banks and Insurance.
13. Trading Companies and other Associations.
14. Opium (Central questions regarding —).
15. Central Research.
16. Ecclesiastical.
17. Archæology.
18. Regulation of ceremonial titles, orders, precedence and civil uniform.
19. Reforms (including elections under the new constitution).
20. Subjects not allocated elsewhere.

4. The Hon. Mr. C. F. BRACKENBURY, C.S.I., I.C.S., Home Member. Took his seat on the 18th June 1936 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Police, including Railway Police and C.I.D.
2. Regulation of betting and gambling.
3. Prevention of cruelty to animals.
4. Control of poisons.
5. Control of vehicles.
6. Control of dramatic performances and cinematographs.
7. Control of newspapers, books and printing presses.
8. European vagrancy.
9. Regulation of medical and other professional qualifications and standards.
10. Government Houses, Staff and equipment of His Excellency the Governor.
11. Government Presses.
12. Forests (including Cinchona) except panchayat forests.
13. Criminal tribes.
14. Stores and Stationery (required for Reserved Departments).

II.—Central Subjects.

1. Control of petroleum and explosives.
2. Central police organization.
3. Arms and ammunition.
4. Emigration and immigration
5. Pilgrimage to the Hedjaz.

MINISTERS.

1. The Hon. Raja Sri RAVU Sir SWETACHALAPATHI RAMAKRISHNA RANGA RAO Bahadur, K.C.I.E., of Bobbili, Minister for Local Self-Government. Took his seat on the 24th August 1936 and is in charge of the following portfolios :—

1. Adulteration of food-stuffs and other articles.
2. Light and Feeder Railways and Tramways within municipalities.
3. Local Self-Government including village panchayats.
4. Religious and Charitable Endowments.
5. Sanitary Engineering Department.
6. Stores and Stationery for Transferred Departments.

2. The Hon. Mr. P. T. RAJAN, Minister for Public Works. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Agriculture.
2. Civil Veterinary Department.
3. Co-operative Societies.
4. Development of Industries.
5. Fisheries.
6. Public Works (Buildings Roads, Ferries, Ropeways, etc.).
7. Registration.
8. Weights and Measures

3. The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR, Minister for Education and Public Health. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Education (other than European and Anglo-Indian education).
2. Excise.
3. Libraries, Museums and Zoological Gardens.
4. Medical administration.
5. Pilgrimages within British India.
6. Public Health (except Sanitary Engineering Department) and Sanitation and Vital Statistics.

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The Hon. Mr. B. RAMACHANDRA REDDI.

Deputy President.

M.R.Ry. Diwan Bahadur C. NATESA MUDALIYAR Avargal.

Panel of Chairmen.

Mrs. K. ALAMELUMANGATHAYARAMMA.

Diwan Bahadur R. SRINIVASAN.

Mr. P. PEDDI RAJU.

Mr. W. K. M. LANGLEY.

Secretary to the Council.

M.R.Ry. Diwan Bahadur R. V. KRISHNA AYYAR Avargal, B.A., M.L.—On other duty as Member, Indian Legislative Assembly.

M.R.Ry. D. K. V. RAGHAVA VARMA Garu, B.A., B.L.—*Acting.*

Assistant Secretary to the Council.

M.R.Ry. D. K. V. Raghava Varma Garu, B.A., B.L.—On other duty as Secretary to the Council.

M.R.Ry. D. Dhyrianathan Avargal, B.A., B.L.—*Acting.*

LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

	Name of member.	Name and class of constituency.
1	Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2	Ahmed Meeran Sahib Bahadur, Moulvi Hafeez Anumanthakudi Mustapha.	Ramnad *cum* Tinnevelly, Muhammadan Rural.
3	Alagannan Chettiyar, Rao Sahib A. S.	Madura, N.-M. Rural.
4	Alamelumangathayaramma, Mrs. K.	NOMINATED.
5	Annamalai Chettiyar, S. A. A.	Nattukkottai Nagarathars' Association.
6	Appadurai Pillai, Diwan Bahadur A.	Central Districts—Indian Christian.
7	Arasu, V. T.	NOMINATED.
8	Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
9	Basheer Ahmed Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
10	Basu Dev, C.	NOMINATED.
11	Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
12	Bhanoji Rao, A. V.	NOMINATED.
13	Birley, F.	Madras Chamber of Commerce.
14	Boag, C.I.E., I.C.S., G. T. ..	NOMINATED.
15	Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.	EX OFFICIO.
16	Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.	EX OFFICIO.
17	Dalavoi, R.	Tinnevelly *cum* Palameottah N. M. Urban.
18	Davis, O.B.E., J. A.	Anglo-Indian.
19	Devadasan, M...	NOMINATED.
20	Dharmalingam Pillai, Rao Sahib V. ..	NOMINATED.
21	Duraiswami Reddiyar, K. M.	South Arcot, N.-M. Rural
22	Ellappa Chettiyar, Diwan Bahadur S.	Salem, N.-M. Rural.
23	Foulkes, G. F. F.	NOMINATED.
24	Gopalaswami Mudaliyar, Diwan Bahadur M.	Bellary, N.-M. Rural.
25	Halasyam Ayyar, N.	Trichinopoly, N.-M. Rural.
26	Harischandrudu Nayudu, A. ..	Godavari East, N.-M. Rural.
27	Hodgson, G. H.	European, Madras Presidency.
28	Hood, C.I.E., I.C.S., H. M. ..	NOMINATED.
29	Indrayya, C.	Godavari West, N.-M. Rural.
30	Iswaran Pillai, I. C.	Tinnevelly, N.-M. Rural.
31	Jagannadha Raju, Rao Baha-	Vizagapatam, N.-M. Rural.

Name of member.	Name and class of constituency.
32 Jagannatham, H. M.	NOMINATED.
33 Jayaram Nayudu, Rao Sahib C.	Chingleput, N.-M. Rural.
34 Jones, I.C.S., C. E.	NOMINATED.
35 Kesavaramamurti Nayudu, K.	Cocanada City, N.-M. Urban.
36 Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly *cum* Srirangam, Muhammadan Urban.
37 Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural.
38 Koti Reddi, K.	Cuddapah, N.-M. Rural.
39 Krishnamurti, Rao Bahadur D.	NOMINATED.
40 Krishnan, C.	NOMINATED.
41 Krishnaswami Ayyar, *Kt.*, Diwan Bahadur Sir Alladi.	NOMINATED.
42 Krishnayya Choudari, P. V. ..	Guntur, N.-M. Rural.
43 Kumararaja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendrula Varu).	Nellore, N.-M. Rural.
44 Kumaraswami Reddiyar, The Hon. Diwan Bahadur S. (*Minister*).	Tinnevelly, N.-M. Rural.
45 Kuppuswami Choudari, J. ..	Guntur, N.-M. Rural.
46 Laljan Sahib Bahadur, S. M.	East Coast, Muhammadan Rural.
47 Langley, W. K. M.	Madras Planters.
48 Madanagopal Nayudu, R. ..	Madras City, N.-M. Urban.
49 Madhusoodhanan Thangal, P.	NOMINATED.
50 Mahabaleswarappa, Y. ..	Bellary, N.-M. Rural.
51 Maharaja Sri Velugoti Sir Govinda Krishna Yachendrulavaru, K.C.I.E., Panchhazari Mansubhdar, of Venkatagiri, Lieutenant-Colonel.	North Central Landholders.
52 Mahboob Ali Baig Sahib Bahadur.	Northern Circars, Muhammadan Rural.
53 Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	South Kanara, Muhammadan Rural.
54 Manikkavelu Nayakar, M. A.	North Arcot, N.-M. Rural.
55 Moidoo Sahib Bahadur, Khan Bahadur T. M.	Malabar, Muhammadan Rural.
56 Moses, P. C.	Northern Districts, Christian.
57 Muhammad Meera Ravuttar Bahadur, K. P. V. S.	Madura *cum* Trichinopoly, Muhammadan Rural.
58 Muniswami Pillai, Rao Sahib V. I.	NOMINATED.
59 Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.
60 Muthiah Chettiyar of Chettinad, Rajkumar M. A.	Southern India Chamber of Commerce.
61 Muthu Chettiyar, Rao Bahadur P. C.	Madura, N.-M. Rural.

Name of member.	Name and class of constituency.
62 Nachiyappa Gounder, K. A. ..	Salem, N.-M. Rural.
63 Nadimuthu Pillai, A. Pl. N. V.	Tanjore, N.-M. Rural.
64 Nanjappa Bahadur, Rao Bahadur Subadar-Major S. A.	NOMINATED.
65 Narasa Reddi, T.	Cuddapah, N.-M. Rural.
66 Narasimhaswami, Rao Sahib D. V.	Godavari East, N.-M. Rural.
67 Narayanan Nambiyar, V. P. ..	Malabar, N.-M. Rural.
68 Natesa Mudaliyar, Diwan Bahadur C. (*Deputy President*).	Madras City, N.-M. Urban.
69 Nayagam, C. D.	NOMINATED.
70 Obi Reddi, C.	Anantapur, N.-M. Rural.
71 Palat, R. M.	West Coast Landholders.
72 Pannirselvam, The Hon. Rao Bahadur A. T.	EX OFFICIO.
73 Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
74 Patro, K.C.I.E., Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
75 Pattabhiramayya, K.	Kistna, N.-M. Rural.
76 Pattagar of Palayakottai (Rai Bahadur Nallathambi Sarkarai Manradiyar).	Coimbatore, N.-M. Rural.
77 Peddi Raju, P.	Godavari West, N.-M. Rural.
78 Pocker Sahib Bahadur, B. ..	Malabar, Muhammadan Rural
79 Premayya, G. R.	NOMINATED.
80 Rajagopala Pillai, Rao Sahib P. V.	NOMINATED.
81 Raja Sri Ravu Sir Swetachalapati Ramakrishna Ranga Rao Bahadur, K.C.I.E., of Bobbili, The Hon. (*Minister*).	Vizagapatam, N.-M. Rural.
82 Rajan, The Hon. Mr. P. T. (*Minister*).	Madura, N.-M. Rural.
83 Ramachandra Padayachi, P. K.	South Arcot, N.-M. Rural.
84 Ramachandra Reddi, The Hon. Mr. B. (*President*).	Nellore, N.-M. Rural.
85 Ramakrishna Reddi, A. ..	Kurnool, N.-M. Rural.
86 Ramalinga Reddi, C. ..	Chittoor, N.-M. Rural.
87 Ramalingam Chettiyar, Diwan Bahadur T. A.	Coimbatore, N.-M. Rural.
88 Ramamurti, Rao Sahib Pandit Ganala.	NOMINATED.
89 Raman Menon, K. P. ..	Malabar, N.-M. Rural.
90 Ramaswami Ayyar, T. S. ..	Madras University.
91 Ramaswami Mudaliyar, V. M.	North Arcot, N.-M. Rural.
92 Rameswara Rao, G.	Anantapur, N.-M. Rural.

	Name of member.	Name and class of constituency.
93	Ranganatha Mudaliyar, G. ..	Tanjore, N.-M. Rural.
94	Rangaswami Reddi, M. B. ..	North Arcot, N.-M. Rural.
95	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.	Coimbatore, N.-M. Rural.
96	Ratnavelu Thevar, P. ..	Trichinopoly *cum* Srirangam, N.-M. Urban.
97	Rukmani Lakshmipathi, Mrs. A.	Madras City, N.-M. Urban.
98	Russell, I.C.S., T. B.	NOMINATED.
99	Sahajanandam, Swami A. S.	NOMINATED.
100	Santhana Gounder, I. ..	Tanjore and Trichinopoly *cum* Madura (Christian).
101	Scott Brown, I.C.S., W. ..	NOMINATED.
102	Sesha Reddi, Rao Bahadur B. P.	Kurnool, N.-M. Rural.
103	Shetty, A. B.	South Kanara, N.-M. Rural.
104	Simhachalam Pantulu, Gade.	Guntur, N.-M. Rural.
105	Siva Raj, Rao Sahib N. ..	NOMINATED.
106	Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
107	Smith, J. M.	Madras Trades Association.
108	Soundara Pandian, W. P. A.	NOMINATED.
109	Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.	EX OFFICIO.
110	Sreshta, M. S.	West Coast, Christian.
111	Srinivasa Ayyangar, T. C. ..	Ramnad, N.-M. Rural.
112	Srinivasan, Diwan Bahadur R.	NOMINATED.
113	Sriramulu, G.	NOMINATED.
114	Stanes, F. J.	Madras Chamber of Commerce.
115	Subbarayan, Dr. P. (The Zamindar of Kumaramangalam).	South Central Landholders.
116	Subrahmanya Bhatt, U. C. ..	South Kanara, N.-M. Rural.
117	Sundara Rao Nayudu, T. ..	Madras City, N.-M. Urban.
118	Syed Tajuddin Sahib Bahadur, Khan Sahib.	Tanjore, Muhammadan.
119	Thomas, Daniel	Ramnad *cum* Tinnevelly, Christian.
120	Uzielli, C.I.E., I.C.S., H. R. ..	NOMINATED.
121	Vasudeva Pillai, V. G. ..	NOMINATED.
122	Vedachala Mudaliyar, Rao Sahib M.	Chingleput, N.-M. Rural.
123	Venkatarama Ayyar, K. R. ..	Madura City, N.-M. Urban.
124	Venugopal Nayudu, Rao Bahadur R. K.	South Arcot, N.-M. Rural.
125	Yakub Hasan Sahib Bahadur.	North Arcot *cum* Chingleput, M. Rural.
126	The Zamindar of Bodinayakkanur (Kamaraja Pandia Nayakar, T. V. K.).	Southern Landholders.

Name of member.	Name and class of constituency.
127 The Zamindar of Chemudu (Sri Vyricherla Narayana Gajapati Raju).	Vizagapatam City, N.-M. Urban.
128 The Zamindar of Kirlampudi (Sri Raja Ravu Ramakrishna Ranga Rao).	NOMINATED.
129 The Zamindar of Minampalli (K. C. M. Venkatachala Reddiyar).	Trichinopoly, N.-M. Rural.
130 The Zamindar of Mirzapuram (Mirzapuram Raja alias Venkataramayya Appa Rao).	Northern Landholders, II.
131 The Zamindar of Tekkali, Senior (Sri Lakshminarayana Harichandana Jagadeb Bahadur).	Northern Landholders, I.

Special Members.

132 Erlam Smith	Nominated for the consideration of the Madras Public Libraries Bill.
133 Krishnaswami Ayyar, Rao Bahadur K. V.	Nominated for the consideration of the Madras Public Libraries Bill.
134 Subbiah Nayudu, Rao Bahadur R	Nominated for the consideration of the Hindu Maths Bill.
135 Patnaik Mahasayo, Sriman M. G.	Nominated for the consideration of the Bill further to amend the Madras Estates Land Act, 1908, and to amend the Madras Estates Land (Amendment) Act, 1934 (Bill No. 11 of 1936).

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

OFFICIAL REPORT.

Seventh Session of the Fourth Legislative Council under the Government of India Act, 1919.

Thursday, the 27th August 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, K.C.I.E., The Hon. the.
Rajan, The Hon. Mr. P. T.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur, S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alagannan Chettiyar, Rao Sahib A. S.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani, Mr. S. M. K.
Bhanoji Rao, Sri A. V.
Birley, Mr. F.
Davis, Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. G. F. F.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Harischandrudu Nayudu, Mr. A.
Hodgson, Mr. G. H.
Hood, C.I.E., I.C.S., Mr. H. M.
Indrayya, Mr. C.
Iswaran Pillai, Mr. I. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Krishnaswami Ayyar, *Kt.*, Diwan Bahadur Sir Alladi.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Mahabaleswarappa, Mr. Y.
Mahoob Ali Baig Sahib Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur *T. M.*
Moses, Mr. P. C.
Muniswami Pillai, Rao Sahib V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa, Rao Bahadur Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Diwan Bahadur C.
Nayagam, Mr. C. D.
Obi Reddi, Mr. C.
Palat, Mr. R. M.
Parthasarathi Ayyangar, Mr. C. R.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattagar of Palayakottai.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Rajkumar M. A. Muthiah Chettiyar of Chettinad.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Diwan Bahadur T. A.

PRESENT—*cont.*

Ramalinga Reddi, Mr. C.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Ratnavelu Thevar, Mr. P.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.
Sandana Gounder, Mr. I.
Schamnad Sahib Bahadur, Khan Bahadur Mahmud.
Scott Brown, I.C.S., Mr. W.
Shaiku Mohamad Laljan Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Smith, Mr. J. M.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin, Sahib Bahadur, Khan Sahib.
Uzielli, C.I.E., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Rao Sahib M
Venugopal Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.
Zamindar of Tekkali, The.

I.—SWEARING IN OF MEMBERS.

The following members made the prescribed oath or affirmation of allegiance to the Crown and then took their seats:—

Mr. F. BIRLEY.

Mr. G. H. HODGSON.

Mr. C. D. NAYAGAM.

Mr. S. M. LALJAN SAHIB.

SRI LAKSHMINARAYANA HARICHANDANA JAGADEB Bahadur (Senior Zamindar of Tekkali).

Mr. Y. MAHABALESWARAPPA.

II.—ADDRESS BY HIS EXCELLENCY THE GOVERNOR.

HIS EXCELLENCY THE GOVERNOR then addressed the Council as follows:—

* "Mr. President and Hon. Members of the Legislative Council, let me first say how glad I am that, during the short period of the tenure of my present office, it has fallen to me to have the opportunity and the privilege of addressing this House. The knowledge that I am talking to friends, amongst whom and with whose co-operation I have worked for the past two years, makes my present task so much the easier. And I may tell you that it is my hope once again to take my seat amongst you and join in your debates before the long term of your labours comes to a close. The life of this Legislature, as you know, is due to expire on the 6th November next, but you will also have seen that the Order-in-Council regulating the introduction of Provincial Autonomy on the 1st of April 1937 contemplates the continuance of the existing Provincial Legislatures until that date, although they will have been finally prorogued before the elections to the new Legislatures actually take place. It will, therefore, be the duty of His Excellency Lord Erskine

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to extend this Council over the intervening period, and my Government contemplate the holding of one further session, probably early in December.

"In regard to the Reforms, such preliminary work as falls to this Government to carry on is well advanced and preliminary electoral rolls have just been published. Owing to the apathy of the public in the absence of effective party organizations in many constituencies, the number of electors in some constituencies admittedly falls short of expectation: but, considering the difficulties, the figures for the Presidency as a whole are not unsatisfactory, and additional names will no doubt be entered before the final rolls are published. Registration of the Scheduled Castes has, on the whole, been satisfactory, and the number of women voters enrolled considerably exceeds expectation. As at present arranged, the primary election for the Scheduled Caste seats will take place in the latter part of December, and the main election about the middle of February.

"But we must not allow our preoccupation with the coming political changes to distract us from the work which is to hand and the opportunities which remain to us in the current year. The question of rural reconstruction has for a considerable time been engaging the attention of Government. Orders have recently issued constituting a Provincial Economic Council to co-ordinate the activities of the various departments of Government and to advise them on schemes for the economic and educational uplift and the industrial and cultural advancement of the people of this Province. Its functions are advisory, but it is free to initiate economic measures and place them before Government through the Heads of Departments concerned. Two sub-committees of the Council have been constituted in advance, one for agricultural development and the other for elementary education, and their reports are awaited. The report on education should be ready soon, and I may here also refer to the comprehensive resolution which is under preparation by the Director of Public Instruction which is to deal with the progress made in all branches and grades of education in the past few years and with the policy of Government in regard to it. Orders have also issued for the constitution of District Economic Councils on the same model whose personnel will be in direct touch with the villages. Their functions will again be advisory, but they will be at liberty to make recommendations to the Provincial Council. Government confidently hope that, through the agency of these Councils, the endeavours of the various departments will be directed into the most advantageous channels, the co-operation of the rural population will be secured, and new avenues will be opened up for the betterment of the masses in every direction.

"But, in addition to their desire to secure the best advice and guidance for their departmental activities, Government most earnestly desire to make a real effort to forward rural reconstruction in all its most important aspects. It is satisfactory that in the current year this Government will receive from the Government of India a further special

grant of 15 lakhs to be devoted to this end. I am not yet at liberty to tell you the manner in which this money will be spent, except that a portion of it will be devoted to the continuance of the Poonamallee Health Unit scheme for a further period of five years. This, as you know, is an experimental scheme of intensive health work in an area of 25 villages with a view to improving environmental hygiene and stimulating the health consciousness of the masses. Forty per cent of its cost is being met by the Rockefeller Foundation. But, in addition to this, you will be asked at this session to assent to several supplementary grants from Provincial finances, while a number of other schemes have been put forward to be met in the first instance from savings in the existing budget, but which will eventually have to be supplemented by grants at a later session. A detailed list of these schemes is being published for your information in the form of a Press Communiqué, and so I need only refer to-day to the most important of them.

"That we have been able to propose some additional schemes is due to the satisfactory position of our finances. (Hear, hear.) Revenue came in unexpectedly well in the last two months of the financial year with the result that the deficit which had been expected was wiped out and a satisfactory surplus realized. Revenue returns for the first three months of the current year have been in many respects promising. The additional expenditure involved in these supplementary grants may possibly result in the year closing with a small deficit, but this deficit can safely be met from balances which, owing to the improvement in revenue returns, are higher than was forecasted at the time of the budget preparation. If the monsoon continues to be satisfactory and the present tendency of commodity prices to rise is maintained, it may be expected that the deficit will be small, if indeed there should be any deficit at all. The new provincial Government will thus start with a thoroughly sound financial position, and, although the Niemeyer Report was in some respects a disappointment, the consolidation of debts which it forecasts will place finances at the disposal of the new Government in 1937–38 for the expansion of nation-building activities.

"While on the subject of rural reconstruction I would mention the effort which Government has initiated for the relief of rural indebtedness. In my personal belief there is no other problem confronting us to-day of such magnitude. For, unless we can restore to our agricultural masses that pride in the soil and love of the land which they have well-nigh lost owing to the crushing burden of their debts, then any attempt at rural uplift is foredoomed to failure. I do not pretend that Government have as yet tackled this problem on the scale on which it must sooner or later be tackled, but at least a start has been made. Last October, as you know, the operation of the Agriculturists Loans Act was extended so as to provide for the granting of loans for the relief of indebtedness. These loans are recoverable in 25 annual instalments at 5½ per cent interest per annum. An essential feature of the scheme is the scaling down of debts to a figure which has recently been

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revised and fixed at principal plus 5 per cent simple interest or twice the amount of the principal, whichever is less. This is the minimum figure to which Government hope that debts may be scaled down, but there is of course no limit to the maximum, and it is expected that generally an even greater amount of scaling down should be possible. The scheme was first started in certain firkas of the Chingleput and East Godavari districts, but has now been extended with additional staff to considerable areas in eight other districts. The areas chosen are mainly those which are not served by land mortgage banks. Twenty lakhs have been set apart for the scheme in the current year's budget, and more will be provided if the need arises. In addition to this, it is proposed to sanction fourteen additional land mortgage banks in areas not yet covered. I may also mention that the Rules to be framed under the Debt Conciliation Act, passed at the last session of this Council, are now nearly ready, and that it is hoped to put the Act into operation shortly.

" An amendment has been made to the State Aid to Industries Act, which is designed to assist the development of Cottage Industries. The definition of the term ' Cottage Industries ' has been altered to mean ' industries carried on by workers in their own homes as distinct from those carried on in factories,' and the effect of the amendment will be to permit of the grant of loans to cottage industries carried on by workers in their own homes, even though the middlemen stand to benefit in a greater or less degree by the cottage workers' labour.

" I would turn now to a kindred problem, namely, the relief of educated unemployment. I will at once admit that in this direction Government have not as yet formulated any broad policy. It is a vast problem and one which will tax to the full the ingenuity of the new Ministry which is to come into being next year. But in the meanwhile we are paving the way for a consideration of the problem by initiating a census of the unemployed. At present this census is being confined to graduates, but it is the intention to extend it later on down the scale of the lesser educated. Government have also taken a step which, it is hoped, will be of real assistance towards the solution of the problem of educated unemployment in the agricultural field. They are arranging for short-term courses of training for batches of 150 young men in the agricultural farms in the various districts, in the hope that this will encourage the educated youth of the country to go back to the land and take a real interest in the scientific management of their farms. In addition to this we propose, subject to your acceptance, to recruit 40 more agricultural demonstrators with a view to having a demonstrator in each and every taluk, and this will help to provide work for our unemployed agricultural graduates.

" Turning now to matters irrigational, I would draw your attention to the orders recently issued for the continuance for a period of three years from fasli 1346 of the concessional rates sanctioned last fasli both for the levy of second crop charge and of water-cess levied on dry lands in the area under the Cauvery-Mettur Project. The second crop charge is now Rs. 5 as against the fixed flat rate of Rs. 7/8, while the concessional rates of water-cess on dry lands are in most cases no more than a

third of the rates which it was originally proposed to levy. It is hoped that these concessions will provide a material measure of relief to the agriculturists and will encourage them to make use of the water made available by the project by assuring them that there will be no fluctuation in rates for some time to come.

" I would also mention the very extensive irrigational and drainage projects which Government have on hand. It is but two days since I had the pleasure of inaugurating the Puligedda aqueduct in the Kistna district. Under the scheme 42,000 acres of land will be newly irrigated, while a vastly improved supply of water is assured to the existing area of 40,000 acres wet land in the Divi Island, with the prospect of that area being increased to 50,000 acres. That district will also be benefited by drainage projects which have already been taken in hand this year, namely, the Appapuram Project and the improvement of the Kollimerla drain. Drainage in the Godavari Western Delta is another urgent problem, and it is proposed to tackle it at once by a scheme of improvement to the Yenamadurru drain which will ultimately cost over two lakhs and for which you are to be asked to accept a token grant at this session. In the Cauvery Delta improvements to the Tirurameswaram drainage channel have already been taken in hand, while a supplementary grant is to be placed before you for improvements to the Odambokkiyar system. Finally, I may mention yet another irrigation project to which you will be asked to assent, namely, the Duvvaleru Project in the Kurnool district, a famine protective scheme which is to cost 1·14 lakhs.

" But of no less importance than these major irrigational projects is the special accelerated programme of improvements to minor irrigation works on which Government have embarked. This programme is over and above the usual programme of minor irrigational repairs carried out annually by the ordinary staff of the Revenue and Public Works Departments. It is a programme involving an ultimate expenditure of half a crore and is spread over a period of three years. It is designed at once to relieve the existing unemployment amongst the rural population, to be of direct benefit to the ryot in dry areas by improving his sources of water supply, and to effect an ultimate saving to Government by reducing the recurring charges on maintenance and repairs for many years to come. A list of the works taken up this year under this special programme is being laid before you to-day and it has been framed with a view to benefiting as many districts as possible, regard being had to the availability of the labour and the possibilities of the working season.

" As this House is aware, the Government have for the last four years granted lump sum seasonal remissions on account of the present low rate of prices. Criticism has been levelled at this policy mainly on the ground that it has not been equitable as between districts. The Government have recognized the force of this criticism and are now examining the question with a view to find a method which will be more logical and which will, as between districts, have the effect of

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adjusting to some extent any inequalities that may exist in the incidence of assessment. My Government hope that before very long they will be able to announce by means of a press communiqué the result of their examination of this question.

"An essential corollary to the improvement of facilities for the growing of crops is the improvement of the organization through which agricultural credits are obtained and produce is marketed. It is satisfactory that the Government of India have sanctioned a grant to this Government of nearly three lakhs to meet the cost of a scheme to train the staff required for service in the Co-operative department and to educate members of co-operative societies. The scheme will be in operation for a period of five years and courses of training are being instituted this year. Then, as regards marketing, an experiment has been initiated at Tiruppur on the 1st of January last under the Madras Commercial Crops Markets Act of 1933 which, it is hoped, will lead to important results. A Market Committee in respect of cotton has been constituted and is functioning for the Tiruppur Municipal area. It consists of representatives of the traders and growers and of the Municipal Council, and is empowered to establish and maintain a cotton market and to frame by-laws to regulate business and the conditions of trading. The services of an agricultural demonstrator have been lent to the Committee as its Secretary and the Collector is investigating the question of assisting the Committee in the acquisition of a market-yard. With further experience of the working of the Committee it is hoped to extend the scheme to other cotton areas and also to other commercial crops.

"More important still, however, is a new scheme for the organization of a Provincial Marketing Society for which you will be asked to agree to a supplementary grant. The intention is to stimulate and co-ordinate the work of the various loan and sale societies, to link them together and to put them in touch with the market centres, places of production and prices prevailing. The proposal is that, to start with, the Provincial Society should take up the marketing of fruit. The Society will have to maintain godowns in Madras and a certain minimum establishment, and a Government subsidy will be allotted to meet its expenditure in the initial years. By eliminating the middlemen and regulating the output of fruit throughout the year, it is hoped that the Society will achieve a substantial increase of income for the fruit growers.

"Passing now to another of the chief functions of Government, 11
the maintenance of law and order, I am sure you will agree with me a.
that the Police department and the public alike have very good reason to be satisfied with the record of the past year. As you know, the most outstanding feature of that record is the continued growth of co-operation between the force and the public, resulting in improved detection of crime and at the same time in a new keenness on the part of the members of the force to prove themselves worthy of the confidence reposed in them. There has never been greater need for this co-operation

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than there will be during the coming elections, and it is up to all of you who next year may be taking an active part in the political arena to see that every help is given to the Police in the very difficult situations which they will be called upon to face.

"And now I would turn to what you all know to be one of my favourite subjects, the development of our electrical undertakings. I am indeed glad to be able to report very satisfactory progress in this direction. In a few days' time it will be my privilege to lay the foundation stone of the new Power House at Mettur. This scheme is intended to serve the districts of Trichinopoly, Tanjore, South Arcot, Salem, North Arcot, Chittoor and Chingleput and it is hoped that the first of the generating sets will be in operation by May, and the whole plant by October, next year. It is of great importance that Mettur should commence operation in good time, because so rapid has been the increase of demand for power, including the demand for electrification of villages and agricultural load, that the maximum capacity of the Pykara system will probably be reached early in the year 1937–38. Not only that, but in spite of the transfer of load in the Trichinopoly and Tanjore districts from Pykara to Mettur, it will nevertheless very soon be necessary to instal an additional penstock pipe and generating set at Pykara, and a supplementary grant is to be placed before you in order to enable this work to be taken up in the current year. I may also mention that events have proved that the provision of extra storage for the Pykara system by means of the Mukurti dam has been by no means untimely. As to extensions and future development, I may mention the Papanasam and Lammasingi schemes which are now under investigation. The latter is to serve the Telugu area, where load will in the meantime be developed by the Thermal station on which work has been started at Vizagapatam, and by a second Thermal station, to whose construction you are to be asked to agree, at Bezwada. The Papanasam scheme will eventually serve the Madura and Ramnad area, where it is hoped first to develop load by means of extensions from Pykara which should be in operation by the end of 1937. I would also refer to the investigations which are being carried out by the Electrical department as to the possibilities of pumping underground water from deep bore-holes in the Ceded Districts for irrigational purposes. A preliminary report has been prepared and experiments in boring are to be carried out in selected areas.

"Gentlemen, I fear that I have kept you too long, for there is much work before you. I am glad that I have been able to indicate to you a substantial measure of progress in all directions, particularly in the giving of assistance of various kinds to the agriculturist, together with a prospect of more rapid progress in the near future. That this progress is possible is largely due to the sound policy pursued by the successive Finance Members of this Government. We have weathered the most critical years in our history by strict retrenchment and an inevitable curbing of our activities. We are still investigating every possibility of a saving of unessential expenditure. But a brighter day

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has dawned and we can now look forward to an expansion both of revenue and of the nation-building activity which it makes possible. I ask your co-operation in ensuring that our progress shall be steady and unfaltering, and wish you all success in the labours of this session." (Loud cheers.)

His Excellency then left the Council Chamber.

III.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Administration of Justice

Partial remission of the sentence passed on the accused in the Coimbatore Extortion case.

* 1 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the Government have remitted partially the sentence passed against the accused or any of them in the Coimbatore Extortion case; if so, on what grounds;

(*b*) whether the remission was based on the grounds set out in the petition or on any other grounds outside it;

(*c*) whether the Government held any enquiry regarding the grounds alleged in the petition to the Local Government; if so, what is the nature of the enquiry and by whom it was conducted; and whether a copy of the report of the officer who made the enquiry will be placed on the table of the House; and

(*d*) whether the District and Sessions Judge who passed the sentence and the High Court who confirmed it were consulted regarding the allegations in the petition before the remission of the sentence was ordered?

A.—(*a*) & (*b*) Yes, the sentence passed on the first accused was partially remitted on the merits of the case.

(*c*) & (*d*) No.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know, Sir, in view of the public feeling which this question seems to have roused, whether the Hon. the Law Member will make a statement as to why the Government made this somersault, considering that even the District Judge or the High Court who passed the sentence thought otherwise, after the Government itself moved the High Court to enhance the sentence?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"It seems to be too long a question for a short reply. But I question the very preface about the existence of any 'public feeling' about the matter."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask what was the new merit in the case that Government discovered which was not apparent either to the Judge presiding in the lower court or to the High Court Judges before whom the matter came on appeal?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"What occurred to the Judges and what occurred to us need not be alike. So, there is no question of new matter coming in at all."

Mr. U. C. SUBRAHMANYA BHATT:—"I want to know what it was in the form of new merit which occurred to the Government at a later stage, which had not occurred to them previously."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I can only say that the Government on the merits of the case thought that a lesser sentence would meet the ends of justice."

Application for enhancement of the sentence passed on the accused in the Coimbatore Extortion case.

*2 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state with reference to the remission of the sentence in the Coimbatore Extortion case—

(*a*) whether the District Magistrate, after the sentence was passed by the Sessions Judge, advised the Local Government to apply for enhancement of sentence; if so, whether the Local Government took the advice of their legal advisers before putting in the application; and

(*b*) whether the Hon. Member will be pleased to place a copy of the legal opinion on the table of the House?

A.—(*a*) The answer to both parts is in the affirmative.

(*b*) The Government regret their inability to place on the table opinion tendered by their legal advisers. It may however be stated that opinion was divided.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know why the Government did not consult the High Court in the matter?"

The Hon. Rao Babadur A. T. PANNIRSELVAM:—"For the very good reason that it is not the usual practice."

Mr. BASHEER AHMED SAYEED:—"May I ask whether the Government, in order to allay at least somewhat the public feeling in the matter that the Government has not acted as it should, is prepared even at this stage to make a statement explaining the position?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The statement is being made now that the case has been decided on its merits."

Remission of the sentence passed by the Sessions Judge, Coimbatore, in the "Zamindar Extortion case."

*3 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the sentence passed by the Sessions Judge of Coimbatore in what is known as the zamindar extortion case has been remitted by the Government to some extent;

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(b) if so, whether a copy of the petition put in by the accused in this matter praying for the remission, together with the order passed thereon, will be placed on the table;

(c) whether it is a fact that in the same case an appeal was preferred to the High Court on behalf of the Government praying for the enhancement of the sentence;

(d) whether the Government gave their consent and approval for such an appeal; and

(e) whether a copy of the order passed in the matter together with a copy of the judgment of the Sessions Judge of Coimbatore passed originally in the said case and the judgments of the High Court on appeal by the accused and that by the Crown for the enhancement of the sentence will be placed on the table?

A.—(a) Yes.

(b) & (e) The Government do not consider that any useful purpose will be served by placing these papers on the table. The petition has however already appeared in the Press.

(c) & (d) The Government directed the Public Prosecutor to move the High Court to enhance the sentence.

Mr. K. A. NACHIYAPPA GOUNDER:—" With reference to clauses (c) and (d) of the question, the Government say ' The Government directed the Public Prosecutor to move the High Court to enhance the sentence.' In view of this, may I ask the Hon. the Law Member, Sir, to state the specific reasons for which the Government came to revise their own original opinion and that too in a short time? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" When the question of applying for enhancement of the sentence came up for consideration the position was this: The accused had been convicted of an offence of robbery, the evidence also being to the effect that at the time of the commission of the robbery he was armed with a deadly weapon, to wit, a revolver. Any person convicted of an offence of robbery using during the course of the robbery a deadly weapon is liable to a minimum sentence of seven years' imprisonment. Whereas, the accused in the case had been awarded only a sentenee of two years. In those circumstances, the sentence seemed to be against law, and for the satisfaction of law, the High Court was moved to see if the minimum sentence was or was not the proper sentence. Those were the circumstances under which the application for enhancement of the sentence was preferred to the High Court. The case again came up before the Government at a later stage. Then it was not on any technical ground that the matter was disposed of; but on the merits of the case we thought that a lesser sentence would be adequate."

Mr. V. P. NARAYANAN NAMBIYAR:—" May I know from the Hon. the Law Member whether in all extortion cases the Government can be considered to be a safe appellate authority from the point of view of the accused? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" That is a question to which I am not prepared to give an answer. I can only say that under the Criminal Procedure Code the Government have a right to interfere at a later stage."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know from the Hon. e Law Member whether the application to the High Court was made the Government only on the ground of the inadequacy of the sennce? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I have already given the answer to that question."

Labour

Measures for the relief of unemployment among the educated artisan classes.

* 4 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the aw Member be pleased to state—

(*a*) whether it is a fact that the Government have under consideraon proposals to eradicate the unemployment evil in respect of the ducated people of the artisan classes of this Presidency; and

(*b*) if so, what ameliorative steps they intend to take?

A.—The Government have instructed the Commissioner of Labour and Rural Uplift to arrange for a census of the unemployed among the graduates in Law, Arts and Sciences and the diploma-holders among all classes in the Madras Presidency.

Mr. M. A. MANIKKAVELU NAYAKAR:—" May I know what the Governnment propose to do after they get a report of this census? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" That will be anticipating the decision of the Government which will have to be arrived at only at a later stage considering the then circumstances."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know at what stage the collection of statistics is and how long they will take to complete the compilation of the statistics? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I can only say that we are proceeding with it as expeditiously as possible. I hope that we will soon be able to come to specific conclusions."

Mr. BASHEER AHMED SAYEED:—" May I know whether Government are considering the recommendations of the Sapru Committee with regard to the relief of the unemployment? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Of course, we will turn to the Sapru Committee's recommendations also. But we cannot apply the circumstances of the United Provinces and put them down straightaway to the Madras Presidency."

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Mr. V. M. Ramaswami Mudaliyar:—"May I ask whether the Government contemplate to include the collection of statistics regarding industrial unemployment and agricultural unemployment in this province?"

The Hon. Rao Bahadur A. T. Pannirselvam:—"We shall proceed step by step and stage by stage. We propose now to deal with the educated unemployed, beginning with graduates. Certainly the other aspects of the question will be examined later on and in due course."

Adoption of measures for the eradication of unemployment on lines suggested in the Sapru Committee's Report.

* 5 *Q*.—Rao Sahib Pandit Ganala Ramamurti: Will the Hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the Government are considering the question of solving the problem of educated unemployment on the lines suggested in the Sapru Committee's report;

(*b*) whether it is a fact that the Central Government have authorized the local Governments to do the needful in this regard according to their own will and pleasure; and

(*c*) if so, what the steps taken or contemplated to be taken by this Government are to eradicate the unemployment of the educated classes in this Presidency?

A.—(*a*) The Government have under consideration a proposal to give a course of practical training in agriculture at their Agricultural Farms to about 150 young men of land-owning agricultural families who have passed at least the S.S.L.C. examination. The proposal was not inspired by the Sapru Committee Report but seems to fit in with the views expressed in paragraph 234 of the report. The underlying idea is that these young men after training should go back to their own land. The object of the proposal is to see to what extent this would be a solution of the present-day unemployment among the educated classes.

(*b*) No.

(*c*) Does not arise.

Mr. A. B. Shetty:—"May I ask whether agricultural graduates who are unemployed have gone back to the land or taken to farming?"

The Hon. Rao Bahadur A. T. Pannirselvam:—"I have no official information. But I think that unfortunately there are a few unemployed who have not done so."

Mr. T. S. Ramaswami Ayyar:—May I ask if the Government does not consider that unemployment in agriculture is due to the fact that agriculture has become an unremunerative occupation?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I am sure that aspect will be considered by the Government when they take steps to relieve agricultural unemployment."

Mr. T. S. RAMASWAMI AYYAR:—" May I know if the Government, in order to make agriculture paying, will not consider the desirability of decreasing the incidence of taxation? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I believe that we have just now listened to the speech of His Excellency the Governor who said that the matter is under consideration."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Does the Government propose to give land to the people who are unemployed? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The Government cannot create land."

Mr. T. S. RAMASWAMI AYYAR:—" Does not the Government consider it advisable to create an agricultural colony with some land attached to it to put in the unemployed? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" That is a matter which we did consider at a certain stage, and it was found to be an impracticable proposition."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Does not the Government think that without some land and without some money to start with it is not possible for the unemployed to take to agriculture? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" If land is insufficient, I think we cannot ask the Government to perform the impossible task of creating land. I am not so pessimistic about the insufficiency of land."

Mr. A. B. SHETTY:—" May I know whether this is the only thing which the Government have in view for relieving the unemployed in this Presidency? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Which is the only thing? "

Mr. A. B. SHETTY:—" Training 150 young men in agriculture."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" That is the first measure, and I think others will follow."

Mr. T. S. RAMASWAMI AYYAR:—" May I know whether the Government is aware that in other provinces, like Bengal and the Punjab, their Governments are giving land to the agricultural unemployed so that they may settle on the land and cultivate it? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I have no information about it, Sir."

The unemployment problem.

* 6 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state whether there are any proposals before them for solving the growing unemployment problem in the

Presidency and whether the Government have called for any statistics in the matter; if so, whether they will place the statistics on the table of the House?

A.—Attention is invited to answers given to questions Nos. 4 and 5. The Commissioner's report on the census of the educated unemployed is awaited.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether Government are aware that there was a report made in 1927, which the Madras Government got as a result of a recommendation from the Legislative Council in a resolution? May I know what action the Government took on that report? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Which one? "

Mr. P. V. KRISHNAYYA CHOUDARI:—" The report on unemployment published in 1927."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I see the hon. Member refers to the report of the Unemployment Committee constituted at the desire of this Council. That Committee made certain recommendations, and those recommendations were examined. Most of them were found to be impracticable. If I remember right, I pointed it out in a debate here some months back raised by my hon. Friend, Dr. Natesa Mudaliyar."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know whether it is the policy of the Government to restrict this census of the unemployed only to those districts in the north and south of this Presidency which are already very rich? "

The Hon. Rao Babadur A. T. PANNIRSELVAM:—" Obviously, it cannot be the policy of the Government to restrict these measures only to one portion of the Presidency and leave the rest out of consideration altogether."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the suggestions made by the last Unemployment Committee alone will be considered or whether the Government propose to make any new suggestions? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I have just mentioned that those proposals were found to be impracticable. There is nothing to despair at all. We are going to proceed step by step; we will explore other avenues."

Mr. A. B. SHETTY:—" May I ask whether Government have examined any of the recommendations of the Sapru Committee? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" We have not yet examined the recommendations of the Sapru Committee with reference to their immediate application to our province. But I can assure hon. Members that I am still going through the report of that Committee, and the Secretariat also is doing it. And when we have got the statistics called for, it will greatly help us in arriving at some conclusions on this question with reference to the circumstances of our province."

Mr. BASHEER AHMED SAYEED:—"May I ask whether there are any proposals for relieving unemployment by industrial development in this province?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The hon. Member has merely asked a question without paying—if I may say with due respect to him—fullest attention to my answers already given. I have already said that we are tackling the problem stage by stage and we have begun with the question of relieving educated unemployment. As a first step we are going to train 150 young men in agriculture, and I might say that it is only to be the first batch. If they are found useful further batches will be trained. The whole question will come up stage by stage. We cannot eat up the whole thing in one lump."

Measures to relieve unemployment.

* 7 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Law Member be pleased to state—

(*a*) whether the attention of the Madras Government has been drawn to the recommendations of the Sapru Unemployment Committee; and

(*b*) whether the Government are taking any action in the matter with a view to relieve unemployment in this Province?

A.—Attention is invited to the answer given to question No. 5.

The unemployment jatha from Malabar.

a * 8 *Q.*—Mr. V. P. NARAYANAN NAMBIYAR: Will the Hon. the Law Member be pleased to state—

(*a*) whether the Government have got any information as to the jatha from Malabar that are advancing to Madras as a demonstration against unemployment in this Presidency; and

(*b*) whether the Government have got any statistics as to the number of unemployed persons and the extent of their suffering and if so, what steps the Government have taken or propose to take for the purpose of relieving unemployment in this Presidency?

A.—(*a*) The Government are aware that a small party who claim to represent the unemployed are on their way to Madras from Malabar.

(*b*) There are no figures to show the extent of unemployment but as a first step towards collecting such statistics the Commissioner of Labour and Rural Uplift is now taking a census of the unemployed among the graduates in Law, Arts and Sciences, and Diploma-holders among all classes in the Presidency. As to the second part of the question, attention is drawn to the answer furnished to question No. 5.

a * Q.—Mr. U. C. SUBRAHMANYA BHATT:—Substantially identical with question No. 8.

Mr. V. P. NARAYANAN NAMBIYAR:—" May I know whether in view of the fact that the hunger-marchers have come here after walking a distance of 700 miles to present a written memorandum to this Council on the subject of unemployment which according to what His Excellency the Governor said this morning is a problem that will tax the ingenuity of all, the Hon. the Law Member will be pleased to receive their representation through a Member of this House? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" That is a matter only for you, Sir, if the rules are satisfied."

Mr. V. P. NARAYANAN NAMBIYAR:—" I should like to know whether he will receive it and have it considered by the Government? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" If a selected number of people from the jatha are prepared to meet me at any time they choose, I shall make myself available to meet the deputation, receive their representation and give it the fullest consideration. I may say this not only on my behalf but on behalf of my Hon. Colleagues who I am sure would be willing to receive the deputation and discuss the matter."

Mr. V. P. NARAYANAN NAMBIYAR:—" While I am very grateful to the Hon. the Law Member for his kind reply, may I know whether he will now receive from me their written memorandum and have it considered in the meantime? " 11 a.m.

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" It is a matter for the Hon. the President to decide."

(Mr. V. P. Narayanan Nambiyar offered to give the memorandum.)

The Hon. the PRESIDENT:—" This is not the way in which a memorandum can be handed over by the hon. Member."

Mr. U. C. SUBRAHMANYA BHATT:—" Do the Government think that just because the jatha is small, unemployment also is small? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I am not able to see the relevancy of the question at all, Sir."

Land Revenue Administration

Raising the age-limit of Tahsildars for purposes of promotion as Deputy Collectors.

* 9 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether the Government have recently revised any of their orders increasing the age-limit for promoting Tahsildars to Deputy Collector's post from 45 to 50;

(*b*) if so, what the special reasons were which warranted the Government to do so; and

(*c*) whether the Government have promoted any officers after the issue of the order and, if so, who they are?

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A.—(*a*) The Government have decided that the age-limit of 45 years should be applied at the time when an officer's name is included in the list of approved candidates and that when an officer has, before that age, been included in that list, he should not be removed from it up to the age of 50 years, unless he is in the meantime found to be unfit, mentally or physically, to discharge the duties of a Deputy Collector.

(*b*) The Government considered that an officer, whose name had once been included in the list as fit and qualified for the post of Deputy Collector should not be removed from it merely because he was not actually appointed before reaching the age of 45 years.

(*c*) The Government have appointed several officers but none of them is affected by the decision referred to in clause (*a*).

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask the Hon. the Revenue Member whether the Government will see that the men in the list are all absorbed before they reach the age of 50 years? "

The Hon. Sir CHARLES SOUTER:—" It depends entirely on the number of vacancies arising."

Mr. G. RAMESWARA RAO:—" May I ask whether the Government have changed the rules with regard to the promotion of sub-magistrates also? "

The Hon. Sir CHARLES SOUTER:—" There is nothing about sub-magistrates said in this question."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask whether the benefit conferred will be available to these officers up to their 50th year? "

The Hon. Sir CHARLES SOUTER:—" I think, Sir, I had better explain. I do not think the hon. Member has quite understood this matter. The rule previously was that if an officer was taken on the list he had to be below 45 years. That rule still obtains. But under it if an officer became 45 years old after his name was included in the list, his name would automatically go from the list. The new rule is that a man must be under 45 when his name is first put on the list and that his name shall not be automatically removed from the list until he becomes 50."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, when this change was made? "

The Hon. Sir CHARLES SOUTER:—" Some six months ago."

Mr. BASHEER AHMED SAYEED:—" May I ask whether Government will be pleased to consider the grant of similar concessions to persons promoted as deputy tahsildars and tahsildars? "

The Hon. Sir CHARLES SOUTER:—" That is being done."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know, Sir, whether the attention of the Collectors has been drawn to this

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The Hon. Sir CHARLES SOUTER:—"The Board of Revenue has been asked to reintroduce those names that have been removed."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know what the practice previously was?"

The Hon. Sir CHARLES SOUTER:—"I was just now trying to explain it."

Transfer of Deputy Collectors during the year 1935-36.

*10 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) how many transfers of Deputy Collectors have been made from 1st April 1935 to 31st March 1936;

(*b*) what the travelling allowance involved on such transfers is;

(*c*) what the allotment made under this item in the budget (original) for 1935–36 is;

(*d*) whether it is a fact that the budget allotment under this item has exceeded for the years 1933–34 and 1934–35; and

(*e*) whether any steps have been taken to avoid the frequent transfers of Deputy Collectors as much as possible; and if so, what they are?

A.—(*a*) The information cannot be collected without considerable labour.

(*b*), (*c*) & (*d*) Separate figures of the travelling allowances paid on account of the transfers of Deputy Collectors are not available.

(*e*) Instructions have been issued to the Board of Revenue to see that transfers of Deputy Collectors are effected as infrequently as possible after considering all aspects of the case.

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to the answer to clause (*e*) of this question, may I know, Sir, when the instructions were issued to the Board of Revenue?"

The Hon. Sir CHARLES SOUTER.—"Quite recently, Sir. But, may I point out that this apparent criticism is sometimes unjustified? In a recent case we had to find eight extra deputy collectors—and all of them seniors—for work in connection with agricultural loans. There are such demands occasionally coming up."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Government are aware that within a short period of eight months, the Guntur subdivision had eight different deputy collectors?"

The Hon. Sir CHARLES SOUTER:—"I do not know their exact number; but I do know that that subdivision was badly treated."

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Resettlement report relating to Guntur district.

* 11 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what orders the Government have passed on the resettlement report in Guntur, and when; and

(*b*) whether the Government have received any memorandum objecting to the scheme report within the prescribed time and, if so, from whom they have been received?

A.—(*a*) The attention of the hon. Member is invited to G.O. No. 1390, Revenue, dated 29th June 1936, copies of which have been placed at the disposal of the Press, and also laid on the table of the Legislative Council.

(*b*) Yes; a list [a] is annexed.

Mr. P. V. KRISHNAYYA CHOUDARI:—" In view of the fact that there is depression, may I ask whether the Government will stop the re-classification also until they pass orders on the Settlement Report? "

The Hon. Sir CHARLES SOUTER:—" I have stated that the Government do not intend to do so."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Will they allow the Government of the future to dispose of this thing? "

The Hon. Sir CHARLES SOUTER:—" If we do so with regard to Guntur, Government will gain something like Rs. 10,000."

Mr. M. A. MANIKKAVELU NAYAKAR:—" May I know from the Hon. the Revenue Member whether the varying balances shown at page 23 of the statement are an indication of the relative prosperity of the different districts or whether they are an indication of the severity of the coercive steps taken in the different places? "

The Hon. Sir CHARLES SOUTER:—" I think it depends upon the willingness or not of the ryots to pay the kist."

Collection of land revenue during the last fasli.

* 12 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what per cent of the land revenue due in each of the districts has been collected in the last fasli;

(*b*) what the extent and income of the lands is that have been sold by auction for realizing the arrears in each district; and

(*c*) what amount remains to be collected in each district?

A.—(*a*) & (*c*) A statement [b] is annexed showing—

(1) the amount of land revenue collected in the several districts for fasli 1345 (current); and

(2) the balance in each of the several districts at the end of that fasli.

(*b*) The Government have no information.

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[a] Printed as Appendix I on page 108 infra.
[b] Printed as Appendix II on page 109 infra.

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Alteration of kistbandi in South Kanara.

* 13 *Q.*—Mr. M. S. SRESHTA: Will the Hon. the Member for Revenue be pleased to state—

(*a*) for how long assessment was collected in South Kanara district in three instalments commencing from March;

(*b*) when the system was altered to that of collection in three instalments commencing from February;

(*c*) what the necessity was for such alteration;

(*d*) whether representations have been received that the alteration works hardship to those having to pay assessment;

(*e*) if so, what enquiry has been held and what decision has been arrived at; and

(*f*) if an enquiry was held, whether it was a public one, whether witnesses were examined and if so, who?

A.—(*a*) From 1890 to 1934–35.

(*b*) At the last resettlement of the district in 1934–35.

(*c*) The attention of the hon. Member is invited to paragraph 65 of the scheme report for the resettlement of the district and to paragraph 14 of G.O. No. 42, Revenue, dated 5th January 1935, both of which have been laid on the table of the Legislative Council.

(*d*) Yes, from the hon. Member.

(*e*) & (*f*) No enquiry was held, but the matter was referred to the Board of Revenue for remarks. The conclusions reached by the Government, after obtaining the views of the Collector and the Board of Revenue, were communicated to the hon. Member in letter No. 1859-E/36, dated 25th July 1936, a copy [a] of which is annexed.

Mr. M. S. SRESHTA:—"May I ask whether the fact that the conditions in the northern taluks of the South Kanara district are different from those in the southern taluks was taken into account in effecting this change? In the southern taluks paddy is stocked and rent is paid in paddy, whereas in the northern taluks rice is stored and rent is paid in rice."

The Hon. Sir CHARLES SOUTER:—"When considering how this new arrangement works, I am quite willing to take into consideration any new facts which the local authorities might bring to my notice."

Mr. M. S. SRESHTA:—"May I know whether the fact that I mentioned has been already considered?"

The Hon. Sir CHARLES SOUTER:—"That fact was not considered when this new kistbandi was introduced. As will be seen at page 24, this arrangement was introduced only last year. It is too soon to reconsider the matter now."

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[a] Printed as Appendix III on pages 109–110 infra.

Mr. Basheer Ahmed Sayeed:—"May I ask whether it is possible for the Government to examine the question of changing the dates for collection in the districts that are affected by the north-east monsoon?"

The Hon. Sir Charles Souter:—"I do not think so."

Operations under the Agriculturists' Loans (Amendment) Act.

* 14 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the centres are where the operations of the newly amended Agriculturists' Loans Act have been in force for payment of loans for the discharge of prior debts during the year 1935–36;

(*b*) what the establishment and the cost of the establishment and contingent charges are in each of those centres, and what the amount of loan distributed in each centre is; and

(*c*) what the rules relating to the issue of such loans are?

A.—(*a*) During the year 1935–36 the scheme for the relief of indebtedness was in force in certain selected areas in the Chingleput and East Godavari districts.

(*b*) The following staff was employed in each of the areas:—

(i) one Deputy Collector as 'Special Loans Officer';
(ii) one lower division clerk; and
(iii) two peons.

The establishment and contingent charges incurred in connexion with the working of the scheme are not shown separately in the budget. They are at present included in the provision made under the sub-head "22. General Administration—O. Subdivisional Establishment." The amount disbursed as loans in each centre up to 31st March 1936 was—

	RS.
Chingleput	55,000
East Godavari	29,970

(*c*) The rules relating to the grant of these loans are the Madras Agriculturists' Loans (Relief of Indebtedness) Rules, 1935, which were published with Revenue Department Notification No. 321, dated the 29th October 1935, at pages 1436–1442 of Part I of the *Fort St. George Gazette*, dated the 29th October 1935, as subsequently amended. The amendments have also been published in the *Fort St. George Gazette* from time to time.

Mr. K. A. Nachiyappa Gounder:—"With refernce to clause (*b*) of the answer, may I ask whether revenue inspectors also are not employed with regard to the investigation of applications?"

The Hon. Sir Charles Souter:—"There must be an omission here. We have appointed special revenue inspectors."

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Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, the answer says: 'The establishment and contingent charges incurred in connexion with the working of the scheme are not shown separately in the budget.' May I ask whether it is difficult to obtain such figures?"

The Hon. Sir CHARLES SOUTER:—"This is part of our general administration. I do not see why we should give separate figures for it."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. the Revenue Member whether it is not a fact that the establishment is too heavy when compared to the amounts that have to be disbursed?"

The Hon. Sir CHARLES SOUTER:—"I certainly do not think so. If we give less establishment, it means less loans are to be given."

Proposals for the extension of the sphere of operation of the Agriculturists Loans (Amendment) Act.

* 15 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the centres are where the operations of the newly amended Agriculturists Loans Act for payment of loans for the discharge of prior debts have been or are proposed to be brought into being during the current year, i.e., 1936–37;

(*b*) on what principles these centres have been selected;

(*c*) what the number is of villages in each of these centres, and the amount of indebtedness in each;

(*d*) what the amount is of expenditure on establishment and contingent charges estimated for each of these centres, and what the amount is of loans expected to be distributed in each area during the year;

(*e*) whether representations have been received either from the public or from the authorities expressing difficulties in adopting the present rules in practice in the issue of such loans;

(*f*) if so, what they are and what steps have been or are proposed to be taken to remedy the defects or overcome the difficulties; and

(*g*) how many new centres are proposed to be opened for the year 1937–38 and in which of the places?

A.—(*a*) The scheme for the grant of loans for the relief of indebtedness under the Agriculturists Loans Act, 1884, as recently amended, has been extended to the following eight districts, during the current year, in addition to the districts of East Godavari and Chingleput where it was in force in the latter part of 1935–36:—

Kistna.	Salem.
Kurnool.	Trichinopoly.
Anantapur.	Malabar.
South Arcot.	South Kanara.

(*b*) The districts were selected by the Board of Revenue.

(*c*) The Government have no information.

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(*d*) As regards the expenditure on establishment and contingent charges, the attention of the hon. Member is invited to the answer to clause (*b*) of Legislative Council question No. 14. A sum of Rs. 20 lakhs has been provided in the Budget Estimate for the current year, for the grant of these loans. During the current year, a sum of Rs. 57,810 has been disbursed in the Chingleput district and a sum of Rs. 46,930 in the East Godavari district. In the other districts to which the scheme has recently been extended, the Special Loans Officers have just begun their work. It is not possible to say how much will be disbursed in each of the districts during the course of this year.

(*e*) & (*f*) No representations have been received from the public. The Board of Revenue has suggested certain amendments to the rules from time to time. The amendments approved by the Government have been published in the *Fort St. George Gazette*.

(*g*) The question has not yet been taken up for consideration.

Mr. P. V. Krishnayya Choudari:—"Whereas the Agriculturists Loans Act provided only for 5 per cent interest and the land mortgage banks are charging 8 per cent, will not the Government extend the Agriculturists Loans Act to the other areas also?"

The Hon. Sir Charles Souter:—"I think the hon. Member is under a misapprehension. We have not denied this benefit to any area or district. All that we have done so far is to extend the Act to the other districts. I am informed that the land mortgage banks are not charging 8 per cent and that their rate of interest is 5½ to 6 per cent. If these banks work well, they will be extended to the other districts of the Presidency as well."

Mr. K. Koti Reddi:—"May I ask why the other districts should wait for the results of this experiment?"

The Hon. Sir Charles Souter:—"One reason is the question of money and the other reason is that it is advisable in cases like this to proceed cautiously."

Mr. K. A. Nachiyappa Goundar:—"May I ask the Hon. Member, Sir, whether much hardship is not caused by the adoption of the present rules?"

The Hon. Sir Charles Souter:—"So far as the debtors are concerned I do not think there is any hardship at all. Some of the creditors may consider it a hardship to them, but our concern is with the debtors and we have found that there is very little difficulty in getting our deputy collectors to gradually scale down the debts up to something like 25 per cent."

Representations for the extension of the operations of the Special Agricultural Loans Act to North Arcot district.

* 16 *Q.*—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the result of experiments in issuing special agricultural loans for debt redemption in the two selected districts;

(*b*) whether the system of granting special loans has been extended to any other district;

(*c*) whether the claims of North Arcot district have been considered for extending the activities of the special loans agency; and

(*d*) whether representations have been made by M.L.Cs. of the district in this regard?

A.—(*a*) The attention of the hon. Member is invited to the speech of the Hon. the Revenue Member during the general discussion of the budget for 1936–37, at pages 352–353 of the proceedings of the Legislative Council, dated the 2nd March 1936.

(*b*) The attention of the hon. Member is invited to the answer to clause (*a*) of Legislative Council question No. 15.

(*c*) The districts were selected by the Board of Revenue. The Government do not know whether the claims of North Arcot district were considered by the Board.

(*d*) Yes.

Mr. M. A. MANIKKAVELU NAYAKAR:—" May I know whether the claims of North Arcot were considered for extending the activities of this special loans agency? "

The Hon. Sir CHARLES SOUTER:—" The claims of not only North Arcot but of all the districts were considered."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask when the Government contemplate to extend the benefit of this Act to the other districts? "

The Hon. Sir CHARLES SOUTER:—" I am afraid that would not rest with me. It will have to be done by the future Government. So far as this Government is concerned, we have extended it to eight districts."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know whether the Government are aware of the principle underlying the selection of the districts for this purpose? "

The Hon. Sir CHARLES SOUTER:—" It was done on the Board's recommendation and the principle which governed the selection was to give facilities to the districts which had none."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" May I know the maximum amount that will be lent to each individual? "

The Hon. Sir CHARLES SOUTER:—" The general principle is that loans under this particular Act should be limited to debtors who owe not more than Rs. 2,000."

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Reforms.

Probable date for the inauguration of the reformed constitution.

* 17 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Finance be pleased to state—

(*a*) when tne new reforms are to come into operation;

(*b*) how long the present Ministry and the present Lgislative Council are to function; and

(*c*) when the new Ministry under the reformed constitution is to come into being?

A.—(*a*) The hon. Member is referred to paragraph 3 of the Government of India (Commencement and Transitory Provisions) Order, 1936, extracted below:—

" 3.—(1) The provisions of the new Act, other than those of Part II thereof and other than those referred to in the next succeeding sub-paragraph, shall, subject to the provisions of that Act and of this and any other Order in Council made thereunder, come into force on the first day of April, nineteen hundred and thirty-seven, and accordingly that date is the date referred to in that Act as the date of the commencement of Part III thereof.

(2) The provisions of Part VIII of the new Act, of Chapter I of Part IX of that Act. and of the Eighth Schedule to that Act, shall come into force on such dates as His Majesty in Council may hereafter appoint, and section 232 of that Act shall not come into force until the establishment of the Federation.

(3) In this paragraph the reference to Part II of the new Act shall be deemed to include a reference to the First and Second Schedules thereto, and to so much of the Third Schedule thereto as relates to the Governor-General."

(*b*) The existing Ministry will ordinarily continue in office till 31st March 1937. The term of the existing Legislative Council expires on the 6th November 1936 and the question whether its term should be extended is under consideration. Even if the term of the Council is extended, the Council has to be prorogued before the commencement of the new general elections and it will stand automatically dissolved on the commencement of Part III of the Government of India Act.

(*c*) The new Ministry under the reformed Constitution will come into office concurrently with the institution of the Constitution.

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Proposal for the further extension of the term of the Legislative Council.

* 18 *Q.*—Rao Bahadur Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Member for Finance be pleased to state whether it is a fact that the lifetime of the present Madras Legislative Council is going to be extended; if so, till when?

A.—The attention of the hon. Member is invited to the answer to clause (*b*) of question No. 17.

Programme of elections to the Reformed Legislature in the province.

* 19 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Finance be pleased to state—

(*a*) when the elections to the Reformed Councils in this Presidency are to take place;

(*b*) whether the Ministers will continue to be in office till the date of the elections; and

(*c*) whether the Ministers or any of the Executive Councillors or any of them will be allowed to contest in the elections when they are in office?

A.—(*a*) In February 1937, as at present proposed.

(*b*) The hon. Member is referred to the answer to clause (*b*) of question No. 17.

(*c*) The point is settled by the provisions of sections 69 (4) and 307 (*a*) of the Government of India Act, 1935.

Mr. M. A. MANIKKAVELU NAYAKAR:—" With reference to the answer to clause (*a*) of this question, may I know from the Hon. the Finance Member whether, in the month of February, any particular date has been fixed? "

The Hon. Sir GEOFFREY BRACKEN:—" About the middle of February."

Mr. K. KOTI REDDI:—" May I know if the end of February would not be more convenient in view of the fact that the middle of that month will be the harvesting season? "

The Hon. Sir GEOFFREY BRACKEN:—" I think the end of February will be inconvenient because the elections have to be completed in time for the new Ministry to be constituted."

Programme of elections for the Reformed Legislature in the province.

* 20 *Q.*—Rao Bahadur Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Member for Finance be pleased to state—

(*a*) the probable date of elections to the Madras Legislative Council (i) for the Upper Chamber, (ii) for the Lower Chamber; and

(*b*) what the arrangements made are to prevent corruption during the elections?

A.—The hon. Member is referred (i) to the answer to clause (*a*) of question No. 19, and (ii) to the Government of India (Provincial Elections, Corrupt Practices and Election Petitions) Order, 1936.

Dates for the elections to the Provincial Legislatures.

* 21 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Finance be pleased to state—

(*a*) whether any dates have been fixed for the elections to the Upper and Lower Houses of this Presidency and if so, what they are;

(*b*) whether the dates of the elections or the week of elections would be declared as public holidays under the Negotiable Instruments Act or whether they would be holidays for all Government offices except treasuries; and

(*c*) whether the elections for the Upper Chamber and the Lower Chamber would be held on the same days?

A.—(*a*) The hon. Member is referred to the answer to clause (*a*) of question No. 19.

(*b*) & (*c*) No decision has been arrived at on these points.

Progress of the arrangements for elections to the Provincial Legislatures.

* 22 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(*a*) at what stage the arrangements for the elections for the Provincial Legislative Assembly and for the Provincial Legislative Council are; and

(*b*) when the said elections are likely to take place?

A.—(*a*) According to the calendar of dates for the several stages in the publication of electoral rolls, it is expected that the final rolls for all the constituencies of the Legislative Council and for the territorial constituencies of the Assembly will be published not later than the 7th November 1936.

(*b*) The hon. Member is referred to the answer to clause (*a*) of question No. 19.

Percentage of population enfranchised in constituencies relating to the Provincial Legislative Assembly.

* 23 *Q.*—Mr. A. M. AHMED MEERAN: Will the Hon. the Member for Finance be pleased to state—

(*a*) the names of districts where the Parliamentary expectation of 15 per cent has been reached in the matter of enrolment of voters;

(*b*) the reason for low enrolment in taluks and districts where the minimum has not been reached;

(*c*) the totals of voters (constituencywar) in respect of Tinnevelly district;

(d) whether any constituency in Tinnevelly district has fallen short of Parliamentary expectation in the matter of enrolment; if so, what those constituencies are; and

(e) the percentage of voters to the total population in Tinnevelly district with regard to the Muhammadan constituency?

A.—(a) According to the information available with Government, enrolments in preliminary rolls either exceed or very nearly reach 15 per cent of the population in the following eleven districts:—

(1) West Godavari.
(2) Kistna.
(3) Bellary.
(4) Chingleput.
(5) South Arcot.
(6) Tinnevelly.
(7) Chittoor.
(8) North Arcot.
(9) Tanjore.
(10) Trichinopoly.
(11) Ramnad.

(b) The main reason is apathy on the part of the people.

(c) & (d) The information [a] is given in the appended statement.

(e) According to the preliminary rolls the percentage of Muhammadan voters to the Muhammadan population of the district is about twenty per cent.

Presentation in person of applications by literate voters for inclusion of their names in the electoral roll.

* 24 Q.—Mr. U. C. Subrahmanya Bhatt: Will the Hon. the Member for Finance be pleased to state whether it is a fact that literate voters to the reformed Legislative Assembly are required by the Madras Government to present their forms in person for getting their names registered; if so, under what provision of law has this been insisted upon?

A.—The hon. Member is referred to rule 7 (a) in sections I and II of the Madras Legislative Assembly (Preparation, Revision and Publication of Electoral Rolls) Rules, 1936, published at pages 735 to 774 of Part I of the *Fort St. George Gazette*, dated the 9th June 1936, and to paragraph 10 of Part II of the Sixth Schedule to the Government of India Act, 1935.

Qualifications of voters for the Universities' constituency of the Provincial Legislative Assembly.

* 25 Q.—Mr. U. C. Subrahmanya Bhatt: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have ordered that a voter in the Universities' constituency of the Provincial Legislative Assembly must

[a] Printed as Appendix IV on page 110 infra.

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in addition to being a graduate of seven years' standing, be also registered in the register maintained for the limited purpose of conducting elections to the University bodies; if so, whether a separate register is going to be opened of all graduates of seven years' standing;

(*b*) whether it is a fact that a graduate must have registered his name two years previously in the existing register; and

(*c*) for what purpose the existing register was opened and maintained; and whether a separate fee is required to be paid for it for such registration?

A.—(*a*) & (*b*) The franchise for the University Constituency is regulated by paragraph 28 (2) of Part II of the Government of India (Provincial Legislative Assemblies) Order, 1936, extracted below:—

"(2) Subject to the provisions of this order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

(a) is a member of the Senate of the Madras, the Andhra or the Annamalai University; or

(b) has been for at least seven years a graduate of one of those Universities and was registered as such in the University register throughout the two years immediately preceding the prescribed date."

On a reference from the Universities they were informed that the register referred to in the Order in Council was the register of registered graduates for the maintenance of which all the three University Acts of this Province make provision.

The question of opening a separate register is for consideration by the Registration Officers, namely, the Registrars of the Universities.

(*c*) The hon. Member is referred to the Statutes of the Universities.

Mr. U. C. Subrahmanya Bhatt:—"May I know, Sir, whether having a separate register for a specific purpose, i.e., for the election of candidates for University constituency, which requires a fee of Rs. 5 to be paid by each candidate for his name being entered in the register, causes serious hardship to some of the graduates who would be otherwise entitled to vote?"

The Hon. Sir Geoffrey Bracken:—"It is a matter beyond the powers of the local Government."

Mr. T. S. Ramaswami Ayyar:—"May I know whether the same interpretation which has been made by this Government has also been

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The Hon. Sir GEOFFREY BRACKEN:—"I am not aware what the other Provincial Governments have done."

Mr. T. S. RAMASWAMI AYYAR:—"May I know whether registration is insisted upon by other Provincial Governments also?"

The Hon. Sir GEOFFREY BRACKEN:—"I am not aware of that."

Eligibility of ex-members of the Provincial Legislative Council and ex-members of the Senate of Universities for inclusion in the electoral roll of the Provincial Legislative Council under the Reforms.

* 26 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Finance be pleased to state—

(*a*) whether the Government have considered under their rule-making power, the question of including ex-members of Provincial Legislative Council and ex-members of Senate of any University of the Presidency in electoral roll of the Provincial Legislative Council, under the new Reforms; and

(*b*) if so, to what effect?

A.—The matter is not within the rule-making power of the Local Government. The hon. Member is referred to paragraph 2 (*g*) of Part II of the Government of India (Provincial Legislative Councils) Order, 1936.

Control of Vehicles

Issue of "G" permits to buses without the licence from the District Boards concerned.

* 27 *Q.*—Mr. C. OBI REDDI: Will the Hon. the Home Member be pleased to state—

(*a*) how many District Superintendents of Police have given "G" permits to buses not possessing District Board licences and authorized their running on District Board roads as has been done by the District Superintendent of Police, Chittoor;

(*b*) whether the Government have consulted legal opinion regarding the legality of such action on the part of the District Superintendents of Police; and

(*c*) what is the nature of the legal opinion given?

A.—(*a*) The Government have no reason to suppose that District Superintendents of Police have issued 'G' permits for buses not possessing District Board licences.

(*b*) No.

(*c*) Does not arise.

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend whether he is aware that the District Superintendent of Police, Chittoor, has not in one instance, but in several instances, issued 'G' Permits to buses which did not possess District Board licences and even when he knew that such buses did not possess District Board licences?"

The Hon. Mr. C. F. BRACKENBURY:—"The Government are not aware of that. In regard to Chittoor district, the matter is still under enquiry."

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend whether the statement that "the Government have no reason to suppose that District Superintendents of Police have issued 'G' permits for buses not possessing District Board licences" was intended to cover the District Superintendent of Police, Chittoor, also?"

The Hon. Mr. C. F. BRACKENBURY:—"In the question itself it is alleged that a certain thing has been done by the District Superintendents of Police and the Government are not aware whether such a state of affairs exists in the case of other District Superintendents of Police. But with regard to Chittoor district, the matter is under enquiry."

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend when he first got a complaint about the Chittoor District Superintendent of Police, and how long the Government have been holding that enquiry?"

The Hon. Mr. C. F. BRACKENBURY:—"I think about two months ago a complaint was made."

Mr. C. RAMALINGA REDDI:—"May I ask whether they are not aware at least of the fact that such a thing had been done, or whether they are still wondering as to whether the allegation regarding issue of 'G' permits for the buses without district board licences is true or not?"

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know whether in many districts the 'G' permits are first issued and subsequently the district board licences are issued?"

The Hon. Mr. C. F. BRACKENBURY:—"I understand that 'G' permits are issued yearly and district board licences are issued quarterly. It may happen in certain cases that when a district board licence has expired the 'G' permit is still in force and if it is not cancelled, it presumably continues although the district board licence has not been renewed."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask the Hon. Member to consider this suggestion, i.e., to see that the District Superintendents of Police do not issue 'G' permits unless the district board licence is produced, and also to restrict the 'G' permits to terms of 'quarterly,' 'half-yearly' and 'annual,' so that facilities may be given to district boards to collect their licence fees?"

The Hon. Mr. C. F. BRACKENBURY:—"The Government have no objection to consider the suggestion."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know whether the Government will issue orders making it peremptory for district boards to issue licences in all cases where 'G' permits have been issued?"

The Hon. Mr. C. F. BRACKENBURY:—"I am prepared to consider the matter."

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Mr. Basheer Ahmed Sayeed :—" May I ask whether the Government will be pleased to enquire into the allegation made by an hon. Member of the Legislative Assembly, Mr. Ananthasayanam Ayyangar, that the District Superintendent of Police issued 'G' permit notwithstanding the fact that the district board licence had been definitely refused is true? "

The Hon. Mr. C. F. Brackenbury :—" I am informed that the allegation is untrue."

Mr. C. Ramalinga Reddi :—" May I ask what were the results of the enquiry into the complaints against the District Superintendent of Police, Chittoor, and whether a copy of the proceedings of the Government will be placed on the table of the House? "

The Hon. Mr. C. F. Brackenbury :—" I see no reason to do so."

Number of motor accidents in each quarter since January 1934.

* 28 *Q.*—Mr. K. A. Nachiyappa Gounder : Will the Hon. the Home Member be pleased to state—

(*a*) what the number is of motor accidents in each quarter since January 1934 in each district;

(*b*) what effective steps have been or are being taken to minimize such accidents; and

(*c*) what the casualties are due to such accidents in each district in each of the said quarters?

A.—(*a*) & (*c*) The numbers of

(i) reported accidents caused by motor vehicles, and

(ii) persons killed in such accidents, during the two years ending the 31st December 1934 and the 31st December 1935 are shown in the appended statement—Appendix (1).[a] The figures relating to each of the quarters of those years are not available.

(*b*) The hon. Member is referred to the answer given to clause (*a*) of the Legislative Council question No. 260 on the 24th October 1934, an extract of which is given in Appendix (2).[a]

Mr. K. A. Nachiyappa Gounder :—" May I ask the Hon. Member what special measures the Government contemplate taking since accidents and casualties are on the increase in several places? "

The Hon. Mr. C. F. Brackenbury :—" I may refer the Hon. Member to the statement printed as appendix to the answer to this question."

Mr. V. M. Ramaswami Mudaliyar :—" May I know from the Hon. Member whether in any of these cases the motor was insured against third party risk and whether the Government will in future insist upon the motor bus-owners insuring their buses against third party risks? "

The Hon. Mr. C. F. Brackenbury :—" The Government have no information."

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[a] *Printed as Appendix V on pages 111–112 infra.*

Mr. K. A. NACHIYAPPA GOUNDER :—" May I know whether since there is no uniform procedure with regard to the regulation of bus traffic in all the districts, the Government will be prepared to call for special reports about the working of the system in each district and see that a uniform method is brought into force? "

The Hon. Mr. C. F. BRACKENBURY :—" The imposition of a time-table for hire buses is within the discretion of the local district authority. Government do not propose to interfere except where it is shown that such discretion is improperly exercised."

Working of the fixed timing system for buses plying for hire in the Coimbatore district.

* 29 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Home Member be pleased to state—

(*a*) whether any special report has been called for or is being received with regard to the working of the fixed timing system for hire buses in Coimbatore district from time to time;

(*b*) if so, whether a copy of the latest of such reports will be placed on the table;

(*c*) how the said system is working there; and

(*d*) whether there are any proposals to introduce the same system in all the districts in the interests of the travelling public?

A.—(*a*) No.

(*b*) Does not arise.

(*c*) & (*d*) The Government have no information.

Publicity

Representation from the Nellore Progressive Union for the grant of Editor's table privileges.

* 30 *Q.*—Mr. G. RAMESWARA RAO : Will the Hon. the Home Member be pleased to state—

(*a*) whether the Nellore Progressive Union have requested the Government for grant of privileges of the Editor's table, and asked for a free supply to their library of the Council proceedings and other Government Orders placed on the Editor's table;

(*b*) whether the said institution is spoken of well by distinguished visitors who saw it; and

(*c*) if so, what orders, if any, have been passed on the application of the Progressive Union for the extension of the privileges asked for by them?

A.—(*a*) Yes.

(*b*) The Secretary of the Union has furnished extracts of the remarks made by certain distinguished visitors in appreciation of the institution.

(*c*) The Government declined to comply with the association's request as it is not entitled to a free supply of Government publications under the rules.

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Mr. G. RAMESWARA RAO:—"May I know when and where the rules are published, or the number of the Government Order or the date of the Government Order?"

The Hon. Mr. C. F. BRACKENBURY:—"I cannot say off-hand. The rules are contained in a Government Order of 1933. I cannot give its precise number or date. I have no objection to place a copy of the rules on the table of the House."

Local Self-Government

Consultation by the Local Government of the transport interests concerned prior to the meeting of the Transport Advisory Council.

* 31 *Q.*—Mr. F. BIRLEY: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the Government of Madras received the agenda of the meeting of the Transport Advisory Council held at Simla on the 15th and 16th of July 1936; and if so, when;

(*b*) whether the Government consulted local transport interests—

(i) connected with railways, and

(ii) connected with road transport in reference to this agenda; and

(*c*) if the answer to clause (*b*) (i) and (ii) is in the negative, why were such interests not consulted?

A.—(*a*) The meeting of the Transport Advisory Council commenced on the 13th July 1936. The Agenda for the meeting were received by this Government on the 13th May 1936.

(*b*) No.

(*c*) The Transport Advisory Council is an official body. Its agenda were confidential.

Mr. F. BIRLEY:—"With reference to the answer given in clause (*c*), will the Hon. Minister be pleased to state whether he considers the answer given there as an adequate reason for not consulting the local transport interests?"

The Hon. the RAJA OF BOBBILI:—"The Transport Advisory Council is purely an official body and its agenda has to be treated as confidential. This Government have no option in the matter."

Mr. F. BIRLEY:—"May I put it in another way? Is the fact that the Transport Advisory Council is not a non-official body an adequate reason for not placing the agenda before local transport interests?"

The Hon. the RAJA OF BOBBILI:—"The question refers to this point, viz., 'whether the Government of Madras received the agenda of the meeting of the Transport Advisory Council and whether the Government consulted local transport interests.' The instructions of the Government of India are that it should be treated as 'confidential.'"

Mr. F. BIRLEY:—"To what extent is it confidential? I take it that the Hon. Minister is aware that this question was freely discussed in the press in the whole of India from the beginning of June onwards."

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The Hon. the RAJA OF BOBBILI:—" I am not aware of it. Probably the agenda was discussed after the actual proceedings of the Council were over. I may however state that the instructions of the Government of India are that it should be treated as confidential."

Mr. ABDUL HAMEED KHAN:—" What other means are employed by the Government of India in coming to a conclusion in this matter? "

The Hon. the RAJA OF BOBBILI:—" The Government are in touch with the various problems arising out of the proceedings of the Transport Advisory Council and from time to time they had the benefit of the advice of the local transport interests."

Mr. BASHEER AHMED SAYEED:—" May I ask whether the Government have any objection in future to consulting the local transport interests which are concerned with road development? "

The Hon. the RAJA OF BOBBILI:—" That has nothing to do with this question. In fact in regard to all other matters concerning the road development we are still consulting the local interests. It is only in the case of agenda of the Transport Advisory Council which is an official body, we are not consulting the local interests."

List of works from Mr. Vipan's scheme taken up for execution during 1936–37.

* 32 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) what the works are that have been sanctioned from Mr. Vipan's Scheme in each district for the year 1936–37, and what the estimated cost of each is;

(*b*) what the grant allotted is to each district in that behalf for the year 1936–37; and

(*c*) whether works relating to inter-district communication have been given preference over others and, if not, why such a procedure has not been followed?

A.—(*a*) *&* (*b*) A statement [a] showing the works included in Mr. Vipan's scheme for which grants have been sanctioned from the Road Development Fund so far, for the year 1936–37 is appended. The works enumerated in the statement were under consideration, and were approved by the Board of Communications, Madras, even prior to the publication of Mr. Vipan's report. Subsequent to the publication of the report the Government of India have been addressed for sanction to the debit to the Road Development Account of the cost of 164 schemes included in the report. The sanction of the Government of India has not yet been received.

[a] Printed as Appendix VI on page 112 infra.

(c) The attention of the hon. Member is invited to the answer given to Legislative Council question No. 1072, dated the 27th March 1936, and to the explanatory note circulated to Members of the Legislative Council in connexion with the resolution passed by the Legislative Council in March 1936 recommending that the Government may take loans to finance Road Development schemes. Due consideration has been and will be given to inter-district communications.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether any list has been prepared after the publication of Mr. Vipan's report? "

The Hon. the RAJA OF BOBBILI:—" A selection is to be made out of the schemes outlined in Mr. Vipan's report. After these schemes have been duly approved, they will be forwarded to the Government of India."

Mr. T. S. RAMASWAMI AYYAR:—" In view of the fact that the Government of India's grants are available, may I know whether the Madras Government will be able to execute any of these works? "

The Hon. the RAJA OF BOBBILI:—" I am not aware of the Government of India's position with regard to grants available. I hope to get sanctions from the Central Government."

Communal representation in municipal service.

* 33 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the rules regarding communal representation in services have not been issued in the case of municipalities;

(b) what the reasons are for the same; and

(c) whether Government have received any representation in the matter either from individuals or from public bodies?

A.—(a) Yes.

(b) The attention of the hon. Member is invited to the answer to clause (a) of question No. 606 delivered on 30th January 1936.

(c) Yes.

Mr. MAHBOOB ALI BAIG:—" May I know how long will it take for this Government to introduce communal rules in Municipal Bodies? "

The Hon. the RAJA OF BOBBILI:—" I am sorry there has been some delay but I will see that the matter is expedited."

Mr. MAHBOOB ALI BAIG:—" Last year in July or so orders were issued with reference to municipalities for the collection of statistics with regard to the scales and rates of pay prevalent among the employees in the municipalities. I do not know why it has not been possible for the Government to introduce the communal rule till now? "

The Hon. the RAJA OF BOBBILI:—"It is true that we asked for certain statistics with regard to the scales and rates of pay in Municipalities and District Boards. But in the case of Municipalities that work has not yet been completed and hence the delay."

Notice to the Devakkottai Panchayat Board for cancellation of its resolution regarding purchase of khaddar.

* 34 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Local Self-Government be pleased to state whether it is a fact that the Government have issued a notice to the Panchayat Board of Devakkottai to show cause why its resolution for purchasing only khaddar should not be cancelled; if so, why?

A.—The answer is in the negative.

Agriculture.

Progress of the Village Investigation Scheme.

* 35 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Public Works be pleased to state—

(a) at what stage the village investigation scheme undertaken by the Agricultural Department is;

(b) what the establishment sanctioned for this scheme is and what the expenditure so far incurred on it is; and

(c) what the work turned out in this scheme is and what the results so far achieved are and how long it is to continue?

A.—(a) The economic enquiry into the cost of production of crops in the Coimbatore, Bellary and Vizagapatam districts financed by the Imperial Council of Agricultural Research is now in the third and final year.

(b) As regards the details of establishment sanctioned for the scheme, the attention of the hon. Member is invited to the answer to clause (b) of question No. 275 answered on 30th October 1935.

The expenditure so far incurred is—

	RS.
1933–34	14,306
1934–35	15,396
1935–36	16,976
From 1st April 1936 to 30th June 1936 ...	4,525
	51,203

(c) The work done consists in ascertaining the cost of production of crops per acre and per maund of produce and the income thereof. The results achieved will be published in due course by the Imperial Council of Agricultural Research after considering the final report which will be sent to it after the completion of the work. The work on the scheme will be finished in October next in the Bellary and Vizagapatam districts and in January 1937 in the Coimbatore district.

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Proposals for opening cattle-breeding stations.

*36 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether any new cattle-breeding stations have been opened in view of the Viceroy's appeal and, if not, why not; and

(*b*) whether any communication on the above subject from any Member of the Legislative Council has been received and, if so, what action have the Government taken in the matter?

A.—(*a*) No; the Viceroy's appeal was issued only on the 16th of June 1936. The opening of new cattle-breeding stations involves protracted and detailed investigations. The Government have now under consideration a proposal to place an officer on special duty for this purpose.

(*b*) A communication was received from the hon. Member himself suggesting the opening of a buffalo-breeding station and a cattle-farm for Ongoles in the Guntur district and he was informed of the present stage of the matter.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I request the Hon. Minister to see that these farms are opened at an early date in the interests of Ongole?"

The Hon. Mr. P. T. RAJAN:—"Certainly Government are trying to expedite matters."

Proposals for payment of grant for the maintenance of stud bulls in Guntur district.

*37 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Public Works be pleased to state whether the Government propose to make any grant towards the maintenance of stud bulls of proper Ongole breed in Guntur district?

A.—There is already in force a scheme for grant of premia to breeders of stud bulls. The scheme applies to Guntur district also.

Mr. P. V. KRISHNAYYA CHOUDARI:—"I understand that the Government are going to make certain concessions to the Coimbatore District Board for the purchase of a stud bull. May I know whether similar concessions will be granted to other districts also?"

The Hon. Mr. P. T. RAJAN:—"If my hon. Friend could get the correct information regarding the activities of the Coimbatore District Board in this matter and then address the Government, regarding the improvement of Ongole breed by his District Board, I will consider his suggestion."

Mr. A. B. SHETTY:—"May I know whether the Government propose to make increased provision for premia?"

The Hon. Mr. P. T. RAJAN:—"The matter is under consideration."

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Proposal for the establishment of cattle-breeding stations in Malabar and South Kanara.

* 38 *Q*.—Mr. A. B. Shetty: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government are aware of the very poor condition of cattle on the West Coast; and

(*b*) whether they have under consideration any proposal to open breeding stations in Malabar and South Kanara?

A.—(*a*) Yes.

(*b*) No. On account of the absence of suitable grazing facilities in the area throughout the year, it is considered that the opening of a cattle-breeding station on the West Coast should wait till the possibility of raising suitable grasses in the area has been examined.

Mr. A. B. Shetty:—" May I ask the Hon. Minister whether the Government have examined the possibility of raising suitable grasses with a view to open a cattle-breeding station in South Kanara? "

The Hon. Mr. P. T. Rajan:—" The question of raising suitable grasses in the district is being considered by the Deputy Director concerned."

Proposals for opening additional cattle-farms.

* 39 *Q*.—Mr. U. C. Subrahmanya Bhatt: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that the Government are considering the opening of a few cattle-farms in this Presidency for the improvement of livestock; if so, how many farms are proposed to be opened;

(*b*) whether the Government are aware that the livestock in South Kanara is very poor in health, condition and breed; and

(*c*) whether South Kanara is one of the districts where such a cattle-farm is proposed to be opened?

A.—(*a*) The question of deputing an officer to work out details for the opening of more cattle-farms is under the consideration of Government. It has not yet been decided as to how many farms should be opened.

(*b*) & (*c*) The attention of the hon. Member is invited to the answer given to question No. 38.

Weights and Measures

Fees and fines collected on account of weights and measures in Coimbatore and South Arcot for the triennium 1934–36.

* 40 *Q*.—Mr. Basheer Ahmed Sayeed: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) what the total amount of fees collected by the Revenue department during the years 1934, 1935 and 1936 towards stamping of weights and measures in the districts of Coimbatore and South

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(*b*) what the amount was of fines and fees realized in each of the taluks of Coimbatore and South Arcot during 1933, 1934, 1935 and 1936?

A.—(*a*)

Year.	Coimbatore.			South Arcot.		
	RS.	A.	P.	RS.	A.	P.
1933–34	805	12	0	1,231	12	0
1934–35	974	9	0	1,129	6	0
1935–36	722	8	0	1,320	5	0

(*b*) The Government have no information.

Mr. Basheer Ahmed Sayeed:—"May I ask whether the Government will examine the possibility of collecting more fees for stamping weights and measures in the districts mentioned than hitherto?"

The Hon. Mr. P. T. Rajan:—"The matter is receiving the consideration of the sub-committee of the Provincial Economic Council and when that committee makes its recommendation, possibly the suggestions of my hon. Friend will be taken into consideration."

Mr. Basheer Ahmed Sayeed:—"Will the Hon. Minister meanwhile also examine the question as to the more effective prevention of the use of false weights and measures?"

The Hon. Mr. P. T. Rajan:—"The authorities concerned will see that false weights and measures are not used. If they do, necessary action will be taken against them."

Excise.

Proposals to transfer from the Madras Public Service Commission powers of recruitment to the Excise department.

* 41 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether it is a fact that the recruitment to the services of the Excise Sub-Inspectors, etc., of the Excise department by the Madras Public Service Commission has been or is proposed to be put an end to;

(*b*) if so, what the reasons therefor are and whether a copy of the order passed in the matter will be placed on the table; and

(*c*) by whom such selections are to be made in future and on what principles?

A.—(*a*) & (*b*) Under sub-section (3) of section 7 of the Madras Public Service Commission Act, 1936, His Excellency the Governor may make regulations specifying the matters on which it shall not be necessary for the Commission to be consulted. His Excellency the Governor has accordingly made regulations under which it is not necessary to consult the Commission in respect of the Excise Subordinate Service. The regulations were published in the *Fort St. George Gazette*, dated 5th May 1936, to which the hon. Member is referred.

(c) The hon. Member is referred to the Excise Subordinate Service Rules which have been published. The question of constituting suitable boards for the selection of candidates by direct recruitment is under the consideration of the Government.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Minister, Sir, for what reason has this power of selection which has so long been given to the Public Service Commission been taken away from them? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is for His Excellency to do that."

Mr. T. S. RAMASWAMI AYYAR:—" If more departments are taken out of the purview of the Commission—I see already that the Police has gone out and the Excise also is going out—may I know. . . ?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The Government have nothing to do with it; it is His Excellency who decides this matter."

Appointment of Excise Sub-Inspectors.

* 42 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) whether the Madras Services Commission has selected candidates for Excise Sub-Inspectors' post in 1935–36;

(b) whether since then Government have given powers to heads of departments to directly recruit Excise Sub-Inspectors;

(c) whether it is a fact that heads of departments are appointing Sub-Inspectors ignoring the list prepared by the Madras Services Commission; and

(d) if so, what has to become of the candidates who have been already selected by the Madras Services Commission?

A.—(a) Yes.

(b) Under the Madras Public Service Commission Regulations, 1936, made by the Governor (which have been published), Sub-Inspectors of Excise may be recruited without the Commission being consulted.

(c) & (d) The Government are not aware that the facts are as suggested.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask whether the Government will exhaust the list of Excise Sub-Inspectors prepared by the Commission some time ago before they recruit other men themselves? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is not the Government that appoint these Excise Sub-Inspectors. I have no reason to think that the appointing authority will ignore the list already prepared."

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Mr. BASHEER AHMED SAYEED:—"May I ask whether it is not a fact that candidates selected six or seven months back have not yet been absorbed?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I have no information."

Mr. ABDUL HAMEED KHAN:—"May I ask whether the heads of departments are expected to follow the communal order in making these selections?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I think all the rules except the one which relates to the consultation with the Services Commission still remain."

Mr. M. S. SRESHTA:—"May I ask the Hon. Minister to consider the case of the Fisheries Sub-Inspectors who have been retrenched and see that they are appointed?"

The Hon. the PRESIDENT:—"I think the hon. Member has given notice of a separate question on the subject."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the Government will see that the list that is already prepared by the Public Service Commission is exhausted by the departmental authorities before they make further recruitment by themselves?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"There is no reason for the Government issuing any such orders at present."

Appointment of the members of the Viswa-Brahmana community on the Excise Licensing Boards and the Excise Advisory Committees.

* 43 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the Government have received applications from the members of the Viswa-Brahmana community since 1931 requesting to appoint them as members on Excise Licensing Boards and Excise Advisory Committees; and

(*b*) how many of them were appointed, what their names are and to which places they belong?

A.—(*a*) & (*b*) The information is not readily available and cannot easily be compiled.

It should be pointed out, however, that the Government do not make any nominations to the Excise Advisory Committees and that the only nomination that they make to the Excise Licensing Boards is that of a Member of the Legislative Council representing the area concerned.

Sale of copies of the Madras Excise Manual to the public.

* 44 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the Madras Excise Manual is available for sale for the

(*b*) whether it is a fact that only an expurgated edition is meant for the consumption of the public;

(*c*) whether in the expurgated edition certain rules and instructions regulating the hours of sale, etc., are omitted;

(*d*) whether the 'unexpurgated' edition is available at least for the use of the Members of the Council; and

(*e*) what the reasons are for excluding some portions in the edition made available for sale?

A.—(*a*) The Madras Excise Manual, Fourth Edition, now in use is printed in four volumes. Volume I containing the Acts, Rules and Notifications is intended also for sale to the public. The other volumes containing departmental Standing Orders for the guidance of officers and appendices are not for sale.

(*b*) No. There is only one edition of Volume I of the Manual—both for official use and for sale to the public. An "Extract from the Excise Manual" has been printed to serve as a text-book for Revenue Test Txaminations, and it is available for sale.

(*c*), (*d*) & (*e*) Do not arise.

Memorandum of the Madras Temperance League in regard to Excise Licensing Boards and Excise Advisory Committees.

* 45 *Q.*—Mr. A. B. Shetty: Will the Hon. the Minister for Education and Public Health be pleased to place on the table of the House a copy of the memorandum submitted by the Madras Temperance League with regard to the composition and powers of the Excise Licensing Boards and the Advisory Committees with the Government Order, if any, thereon and state if a further representation has been received on the subject and what the nature of such representation is?

A.—A copy [a] of the memorandum and a copy of G.O. No. 853, Revenue, dated 17th April 1936, are placed on the table of the House. A further representation was received on the subject. It was mainly in the nature of a request for a reconsideration of the orders already passed.

Mr. A. B. Shetty:—"May I ask whether the Government will be pleased to reconsider the orders already passed?"

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"I am afraid there is very little chance of reconsideration."

Mr. A. B. Shetty:—"May I ask whether it is a fact that some local bodies have refused to elect representatives to sit on these bodies, because they feel that, constituted as these bodies are, it is difficult to get anything useful done?"

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"I think it has just been the other way; the elections have been very hotly contested."

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[a] **Printed as Appendix VII on pages 113–119 infra.**

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Mr. A. B. SHETTY:—"May I ask whether any local body has refused to elect its representative?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I am not aware, Sir."

Progress of the Prohibition Experiment in the Province.

* 46 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the areas in which partial or total prohibition has been in force since 1928–29 giving the date of introduction of the change;

(*b*) the areas in which it is still continued and the date of closure of the experiment in cases where it has been abandoned;

(*c*) the consumption of liquor of various kinds in each area on the date of introduction of the experiment and in subsequent years (yearwar);

(*d*) the loss to Government in excise revenue by the experiment in each area (yearwar); and

(*e*) whether the Government will be pleased to place on the table of the House the report or reports on which the decision to abandon the experiment in certain areas was arrived at?

A.—(*a*), (*b*) & (*e*) The hon. Member is referred to the Excise Administration Reports published every year.

(*c*) Information is not available and cannot be compiled without the expenditure of a considerable amount of labour.

(*d*) The Government have no information on the point.

Mr. T. S. RAMASWAMI AYYAR:—"May I ask whether in the matter of prohibition our Government are trying to follow the example of the United States, that is, going from wet to dry and then going back from dry to wet again?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I think that it has been our privilege to set examples for others to follow."

Mr. T. S. RAMASWAMI AYYAR:—"Then am I to take it that the United States are now following the policy of the Madras Government in this matter?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The hon. Member must ask the United States' Government."

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I ask with reference to clauses (*c*) and (*d*) whether the Government will be able to get the information?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I think it will be a very difficult matter."

Modification of the Government Order enjoining closure of liquor shops on Sundays and certain other days.

* 47 *Q.*—Mr. A. B. SHETTY: With reference to the answer to question No. 737 on 5th February 1936, will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) when the restrictions imposed in regard to closure of liquor shops on Sundays, public holidays and election days in accordance with the resolution passed by this Council on the 8th August 1929, were removed;

(*b*) whether the Government Order modifying the decision can be placed on the table of the House;

(*c*) if the prevalence of illicit practices was the cause for modification of the decision, what the number of excise offences were owing to the closure of shops; and

(*d*) whether he will be pleased to issue a statement setting forth all the circumstances necessitating the reversal of a Government decision taken in pursuance of a resolution of this House?

A.—(*a*), (*b*) & (*d*) Extracts [a] from the reports of the Commissioner of Excise and the orders of the Government thereon removing the restrictions in certain cases are appended.

(*c*) Separate figures of excise offences due to the closure of shops are not available.

Measures towards the attainment of prohibition.

* 48 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) how many new toddy shops and how many new arrack shops have been opened in each of the years since 1930–31 in each district, and on what principles such new shops are opened;

(*b*) what the programme is of the Government to achieve prohibition within a limited time as has been declared by them during the past; and

(*c*) what the areas are where prohibition was originally started, to which places it has since been extended, and in which of the places it is being tried at present?

A.—(*a*) A statement [b] is attached. New shops are opened to meet legitimate demand for licit liquor in the localities concerned and also when they are necessary to prevent illicit distillation, sale and other offences against abkari laws. The proposals are first placed before the Excise Advisory Committees and Licensing Boards and their advice taken.

[a] Printed as Appendix VIII on pages 120–122 infra.
[b] Printed as Appendix IX on page 122 infra.

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(b) & (c) The attention of the hon. Member is invited to the answers given to question No. 517 answered on 2nd November 1931 and to question No. 544 answered on 25th January 1935, and he is also referred to the Excise Administration reports published every year for any further information that he may require on the subject.

Mr. K. A. Nachiyappa Gounder :—" May I ask the Hon. Minister why the figures with regard to the year 1935–36 have not been furnished in the statement? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" They are not available."

Mr. K. A. Nachiyappa Gounder :—" May I ask, Sir, whether the Hon. Minister will be pleased to furnish the information when it is available? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" I do not think that any useful purpose will be served."

Proposals to open new toddy shops in the Perambur division, Madras City.

* 49 Q.—Mr. A. B. Shetty: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) whether it is proposed to open new toddy shops in the Perambur division of the Madras City;

(b) if the answer to (a) is in the affirmative, whether the Excise Licensing Board has approved of the proposal; and

(c) whether the Commissioner of Excise has received representations protesting against the opening of these new shops from the people of the locality?

A.—Government have no information but have called for a report.

Mr. A. B. Shetty :—" May I ask whether, when the report is received, it will be placed on the table of the House? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" When the report is received, we will consider the suggestion."

Compounding of Abkari offences.

* 50 Q.—Mr. A. B. Shetty: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) whether a system of compounding of abkari offences is in vogue;

(b) what the number of offences so compounded is since 1929–30;

(c) whether rewards are distributed even in respect of offences compounded;

(d) whether it is a fact that the Government consider the seriousness of excise crime as on a par with crime punishable under the Indian Penal Code; and

(e) if the answer to clause (d) is in the affirmative, why this difference in the method of treatment is permitted?

A.—(a) The attention of the hon. Member is invited to section 67 of the Madras Abkari Act, which makes provision for the compounding of offences under certain sections of the Act.

(b)

1929–30	11,750
1930–31	14,575
1931–32	13,772
1932–33	14,874
1933–34	14,844
1934–35	14,419

(c) Yes, in appropriate cases.

(d) & (e) The Abkari Act deals with offences against a fiscal law and the Government do not understand the comparison which is sought to be made between those offences and offences under the Indian Penal Code. Certain offences under the Indian Penal Code are also compoundable, and the reference to the difference in the method of treatment is not understood. Offences under certain sections of the Abkari Act are compounded because the law provides for such composition with a view to reduce the number of prosecutions.

UNSTARRED QUESTIONS

Irrigation

Progress of the negotiations regarding the Tungabhadra Project.

51 Q.—Mr. K. Koti Reddi: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the dispute regarding the right to the waters of the river Tungabhadra between the Madras Government and the Hyderabad and Mysore States has been settled; and

(b) if not, in what stage the negotiations concerning it are?

A.—(a) No.

(b) The matter is still under correspondence with the Government of India.

Reforms

Measures to ensure secrecy of ballot in the case of illiterate voters.

52 Q.—Mr. K. Koti Reddi: Will the Hon. the Member for Finance be pleased to state—

(a) whether it has been decided to adopt a system of voting so as to secure secrecy of ballot in the case of illiterate voters for elections to the future legislative bodies; and

(b) if so, what that system is?

A.—(*a*) & (*b*) It is proposed to adopt the coloured box system which is explained in paragraphs 743 and 744 of the Indian Delimitation Committee's Report; arrangements will, if possible, be so made that an observer will see the voter deposit the voting slip into a box without being able to identify the individual.

Religious Disputes

Memorials from the Muslims of Hosdrug, South Kanara, protesting against the proposal to construct a church near the Jumma mosque at Hosdrug.

53 *Q.*—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Home Member be pleased to state—

(*a*) whether the Government have received petitions and memorials from the Muslims of Hosdrug (Kanhangis) and the adjoining villages in the South Kanara district saying that a Christian priest is going to build a church adjoining the Jumma mosque of Hosdrug, that it has created much commotion and that it is likely to cause breach of peace as there will be constant tolling of bells at any time of the day and killing of pigs there; and

(*b*) whether the Government have taken any action in the matter?

A.—(*a*) A petition was received from the Muslims of Hosdrug praying that steps might be taken to deter the priest from building a church close to the Jumma mosque at Hosdrug.

(*b*) The Government inquired into the matter but saw no reason to interfere.

Local Self-Government

Proposal for the appointment of a Commissioner to the Udipi Municipality.

54 *Q.*—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the Government propose to appoint a Commissioner to the new Udipi Municipality as soon as the council begins to function; and

(*b*) if not, when?

A.—The question of appointing a Commissioner to the Udipi Municipality is under consideration.

Conduct of elections to casual vacancies in the district boards by district panchayat officers.

55 *Q.*—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state whether district panchayat officers are required to conduct elections to fill up casual vacancies in the district boards?

A.—Yes.

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Programme of bifurcation of district boards during the current year.

56 *Q.*—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) how many district boards are ready for bifurcation; and

(*b*) how many more will be bifurcated before the end of this year?

A.—Attention is invited to the Press Communiqué, dated 15th January 1936, regarding bifurcation of district boards, published on page 29 of Part I-A of the *Fort St. George Gazette,* dated 21st January 1936. The investigation referred to in the communiqué has been completed in respect of the Chingleput, Nellore, Coimbatore and Malabar District Boards, and the reports received by the Government in the matter, are under consideration.

Industries

Application of Mr. Hanumantha Rao of Nellore for a loan under the State Aid to Industries Act.

57 *Q.*—Mr. V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether any application for a loan under the State Aid to Industries Act was received from Mr. Hanumantha Rao of Nellore for manufacturing dry cells or batteries and what became of it;

(*b*) what the amount of loan applied for and sanctioned was; and

(*c*) whether the Government required the applicant to pay any charges by way of legal fees, document charges, etc., and if so, what the amount is which the applicant was called upon to pay, before the disbursement of the loan?

A.—(*a*) Yes.

(*b*) Rupees 500.

(*c*) No; it is the Director of Industries who disburses such loans after obtaining the necessary mortgage bond.

Education

Proposals for the abolition of Telugu from the list of second languages taught in the Model High School, Teachers' College, Saidapet.

58 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether there is any proposal to abolish the Telugu section in the Saidapet Training College;

(*b*) if so, what the reasons justifying such a step are;

(*c*) whether it is a fact that the college authorities are discouraging Andhra students from taking Telugu, in preference to Tamil for their vernacular; and

(*d*) whether a pandit has been appointed in the place of the late Mr. K. Gopala Rao?

A.—(*a*) No.

(*b*) Does not arise.

(*c*) No.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

IV.—ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

* The Hon. the PRESIDENT :—" I have to announce that the Madras Commercial Crops Markets (Second Amendment) Act, 1936, received the assent of His Excellency the Governor on the 28th April 1936."

V.—PANEL OF CHAIRMEN.

* The Hon. the PRESIDENT :—" I have to announce to the House that under Rule 3 (1) of the Madras Legislative Council Rules, I have nominated the following four members of the Council to be a panel of Chairmen for this session of the Council :—

(1) Mrs. K. Alamelumangathayaramma.

(2) Diwan Bahadur R. Srinivasan.

(3) Mr. P. Peddiraju.

(4) Mr. W. K. M. Langley."

VI.—HOUSE COMMITTEE.

* The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" Sir, I beg to move that with a view to appoint a House Committee in pursuance of Standing Order No. 82, this Council do proceed to elect six members to be members of the said Committee according to the principle of proportional representation by means of the single transferable vote."

The motion was put and carried.

* The Hon. the PRESIDENT :—" I have to inform the House that with reference to Regulation III of the regulations for the holding of elections by means of the single transferable vote, I fix 3 p.m. to-day as the time by which nominations of candidates for election to the House Committee should be sent to the Secretary."

VII.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1936-37.

(1) GRANT IV—FOREST—RESERVED.

* The Hon. Mr. C. F. BRACKENBURY :—"Sir, on the recommendation of His Excellency the Governor I beg to move—

' *that the Government be granted a further sum not exceeding Rs. 100 under Grant IV—Forest—Reserved.*'

" The grounds for this demand are clearly set forth in the Explanatory Note [a]."

The Demand was put and carried and the Grant was made.

* The Hon. the PRESIDENT :—" I may inform hon. Members that I do not propose to receive any more amendments to the Supplementary Grants now under consideration."

[a] Printed as Appendix X on page 128 infra.

(2) GRANT VI—IRRIGATION (EXCLUDING CAUVERY-METTUR PROJECT)—RESERVED

* The Hon. Sir CHARLES SOUTER:—" Sir, on the recommendation of His Excellency the Governor I beg to move—

'*that Government be granted a further sum not exceeding Rs. 800 under Grant VI—Irrigation (Excluding Cauvery-Mettur Project)—Reserved.*'

" Sir, this demand covers eight separate items, i.e., items (*a*) to (*h*) in the Explanatory Memorandum [a] placed before the House. I do not think it is necessary for me to say anything further than what is said in this memorandum which has been prepared in great detail. All these works refer to various irrigation works under Grant VI and every one of them is necessary and I trust the House will have no hesitation in giving the grant asked for."

* Mr. P. PEDDI RAJU:—" Sir, I beg to move—

'*that the allotment of Rs. 800 be reduced by Re. 1.*'

" My object is to elicit some information and as usual plead for the improvement of the drainage system in the Godavari Western Delta. In view of His Excellency's speech this morning wherein he said that the Government have recognized that great care is to be taken in improving the drainage in the Godavari Western Delta, I think it is unnecessary for me to detain the House by quoting instances. The Hon. the Revenue Member was pleased to tell us last time that a scheme was prepared for the improvement of the drainage of the Godavari Western Delta. I am very glad that this Yenamadurru drain is going to be improved. The Government have already spent a lot of money on improvements and it needs further improvements. I suggest that the Government would do well, instead of spending all the money on one drain, to spread it over a number of drains and improve them bit by bit either in the shape of maintenance and repairs or special repairs. Now that we have got the information that the Government are in a better financial position and that they have some schemes ready for the improvement of the drains in the delta, I would request them to see that some attempt is made in the current year to improve the other drains also.

" The other matter I wanted to raise on this grant is this. When this question was discussed in the Finance Committee I said that when once these drains are improved by spending Rs. 2 lakhs and odd it was better to convert one of the bunds into a road and to see that all the inlets are constructed with sufficient roadway for cars and other vehicles to pass over. I suggest to the Hon. the Revenue Member that he should issue necessary instructions to the Public Works Department to see that a roadway is formed on one of the bunds of the big drains because most of the locality near by is not served by any road communications. I think that the Public Works Secretary also agreed to this at the discussion in the Finance Committee. I want to raise that point here

[a] Printed as Appendix XI on pages 124–133 infra.

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and get an assurance from the Hon. the Revenue Member. He may even make a deviation, if necessary, in the working estimates for the improvement of the drains for this purpose."

* The Hon. Sir CHARLES SOUTER:—" Sir, I think Mr. Peddiraju has raised two points. With regard to the first, I do not think he is quite right in thinking that we should attack this problem piecemeal on various drains. It is far better to try to finish one drain completely first before you take up another. A half finished drain is very often a greater nuisance than it is in its present state. The Yenamadurru drain is the most important in that area, and annually causes far greater damage than any other drain in that delta. What the Government would like to do and what they are attempting to do is to see that the Yenamadurru drain is completed in such a way that these frequent floods shall not recur. When that is completed—and I may add when we have got money to spare and when we have got the establishment—we will be prepared to take up some other work and carry it through to completion but not do it piecemeal.

" As regards the other matter of forming a road on one of the banks of the drain, I will consult the Chief Engineer and see what can be done. I hope, Sir, with this assurance, that the hon. Member will not press his motion."

* Mr. P. PEDDI RAJU:—" Sir, I am not going to press my motion. I entirely agree with the Hon. the Revenue Member that this drain ought to be completed. But I was only referring to the fact that the Government might effect at least temporary improvements in the drains wherever necessary in the shape of removing weeds, removing shoals and so on and see that the drains are maintained in proper order. As a matter of fact nothing is being done. I think the Public Works Department have already got prepared some estimates for maintenance and repairs and I suggest that some money should be provided for them."

The cut motion was by leave withdrawn.

* Mr. K. A. NACHIYAPPA GOUNDER:—" Mr. President, Sir, I beg to move the amendment standing in my name— 12-30 p.m.

'*to reduce the allotment of Rs. 800 by Re. 1.*'

" In so doing I wish to discuss the feasibility or otherwise of providing stem shutters and locking arrangements and the necessity for consulting the ryots beforehand in such matters. There are three channels for which such arrangements are proposed and all of them lie in Coimbatore district. . ."

The Hon. Sir CHARLES SOUTER:—" I am sorry I have to interrupt the hon. Member. I do not find the hon. Member's amendment in the printed list."

* The Hon. the PRESIDENT:—" It is found in a notice which has been received."

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* Mr. K. A. NACHIYAPPA GOUNDER:—" My object in moving this amendment is that the Government should give their fullest consideration to all such matters before they take them up for execution. No doubt the scheme is quite welcome, provided the existing ayacutdars are not adversely affected in the least. If they raise any objections, their objections should be heard and proper remedies found for them. With regard to the Tadapalli channel in the Gobichettipalaiyam taluk, the Government seem to have come to certain conclusions, as a result of some experiments. My information is that these experiments were not carried on to the fullest extent to make them to come to these definite conclusions after studying the results. They seem to have started the experiment but they were not able to achieve any definite results. When this is the case, I should ask whether it is advisable to go on with the present scheme. First of all, the ryot should be made to understand the impending proposal and he should be made to know that their interests have been safeguarded.

" We find, Sir, that the level of water in these channels is not quite uniform throughout the irrigation period; in some months it runs at a very high level; in some months it goes down. Suppose the sluices are worked at a certain duty, say 30, under normal conditions. Evidently if the level of water that is flowing in the channel is high enough, the duty will be much less as there will be much discharge of water. If the level goes down, naturally the duty will be much increased and the discharge will be much less as there is no overhead level as before. This aspect of the question does not seem to have been taken into consideration at all. With regard to the Tadapalli channel, my information is that it has got full level of about 6½ feet for about a month or so; then the level goes down. If the level is to go down, my fear is whether the duty fixed taking certain level into consideration will be proper to meet the demand all through and whether the fields will have sufficient irrigation facilities. If that point is not taken into consideration, it will create a lot of trouble to the ryots and they will suffer a good deal for want of sufficient water to their fields. Therefore I think that the question should be gone into in greater detail and the results of the experiments should be definitely known before we take up this scheme. Of course I welcome this scheme as it is intended to provide sufficient irrigation facilities to the lands at the tail-end and also to extend to some more areas; if circumstances permit—if extensions are to come up the Government will be able to derive more revenue; and the ryots owning dry lands will get some irrigation facilities.

" But my point is that the existing ayacutdars should be adequately safeguarded. The procedure that has been adopted, does not seem to be quite complete in itself. The matter is all the more important as the Lower Bhavani scheme will come into operation shortly; these irrigation channels will be affected by that scheme. I think it would be advisable to make still more detailed enquiries and experiments before we take up these definite proposals. I believe some years ago a similar question came up and it was dropped then for want of sufficient detailed

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particulars. I am informed that the matter was again gone into and that some investigations seem to have been made. I do not think the Government are in a position to say definitely with regard to the actual requirements of water in the upper reaches. It is not my intention to stand in the way of Government proceeding with such a useful scheme. I would only say that the existing ayacutdars who have been enjoying adequate facilities for a very long time, should not be deprived of their existing rights. I also know that this scheme will relieve the ryots of the penalties that are levied every now and then for illicit irrigation. If one man should take water in spite of objections naturally his neighbour also gets the supply even without his knowledge or doing anything for it and he too is made to pay the penalty. But taking into consideration any possible difficulty at a later stage, I would request the Hon. the Revenue Member to bestow sufficient consideration on the points I have referred to, before launching upon the scheme."

* Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Sir, three proposals have been referred to with regard to three channels in the Coimbatore district, all being dependent upon the river Bhavani for their supply. This river is not one on which we can depend throughout the year. During some months of the year we have got floods and in some portions of the year the level of water is very low. Sometimes difficulty is felt even now, to give necessary supply of water to the lands already under irrigation. Even now, the supply is not sure; under any arrangement they make, the Government should see that the present ayacutdars do not suffer. There is anxiety in the minds of the people that the Government are going to raise the duty and that more lands are going to be brought under cultivation. It is stated in the explanatory note that it is not contemplated that there will be any immediate extension of irrigation. It is stated in the note: 'To ensure a well-regulated supply and to secure effective control and equitable distribution of water at all times, eliminating wastage of water as much as possible, it is proposed to provide stem shutters,' etc. Unfortunately, the word 'immediate' gives rise to anxiety in the minds of people. It might mean that the Government might extend the irrigation next year. People want to be assured that they do not mean or they do not contemplate to extend the area under irrigation by the present proposals. That is one point.

" The second point is the supply of water in these channels is not dependable. The Government should make provision for sufficient supply of water when water is at a low level. Already difficulty is felt in some places in the matter of getting sufficient supply of water. I am told that in a few places water does not rise to the requisite level. They suffer under the existing arrangements. The Government should see that none of the lands under irrigation now suffers by the arrangements that are going to be made. I am of the opinion that the experiments that have been made by the Government are not of such a nature as to be depended upon for the reason, as I am told, that the places that were chosen were not representative. I am told that certain places which have been chosen. Pudukarai, for instance, are villages where the lands

are water-logged. Experiments carried on in places like that will not be representative of the whole area under the present ayacut; to apply the results gathered from an observation of these areas where the lands are water-logged, to the other areas would not be fair. It would seriously affect the position of the present ayacutdars. I want the Government first to give the assurance that the word ' immediate ' does not mean that they have already under contemplation to increase the area under cultivation. Before extending the area, I hope the Government will let the people know of it, receive their objections and meet them, before they take up this work."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" Mr. President, Sir, with regard to the first two schemes in the Coimbatore district, the Government have furnished information as to the number of cusecs available for irrigation and they have specified the number of acres which the channels will irrigate. In addition to the apprehension raised by my hon. Friend, Mr. Ramalingam Chettiyar, that the proposal contemplates not immediate but distant extension of irrigation, my fear is this. It is stated with regard to the Tadapalli channel, that ' before any steps are taken to extend irrigation, the surplus actually realized after the proposed works are carried out will be gauged.' Whatever may be the attitude of the Government with regard to the Kalingarayan channel and Arkenkota channel, I fear that the Government have got an idea of extending irrigation in the case of the Tadapalli channel, for the reason perhaps that they have satisfied themselves that the number of cusecs of water available is sufficient for the purpose. That is why I think, they have not referred to that fact in the note. Therefore the ryots seriously fear that the Government have definite proposals in this case to extend the ayacut. The existing ayacut does not get sufficient supply now, either in the upper reaches or in the lower reaches. That being the case, under the guise of providing shutters and locking arrangements, the Government should not try to extend the present ayacut. I want an assurance from the Government that under no circumstances the quantity of water that is allowed to the existing ayacut will be diminished. Before the work is carried out, the Government should consult the interests of the people concerned."

* The Hon. Sir CHARLES SOUTER :—" Mr. President, Sir, I think I can easily dispose of my hon. Friend's apprehensions at once by saying that Government have no intention of increasing the ayacut immediately. By ' immediately ' I mean this: that I can give an assurance to this Honourable House that Government will not increase the ayacut under any of these three channels until they have seen definitely the effect of re-sluicing. That may be taken as a definite assurance. This re-sluicing is intended primarily for the present ayacut, and it is only if we find, after a course of years, that the present ayacut does, on account of this re-sluicing or remodelling, consume more water than is necessary for the ayacut, that Government will take up any scheme of extension. Our principal object is in regard to these three channels—the Kalingarayan, the Arkenkota and the Tadapalli channels—to see

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that the present water which goes down is used economically and that once the ryots at the head of the channels do not get an amount of water which is more than what they actually need, we should see if we cannot extend the ayacut. It naturally follows that the amount of water actually available for the irrigation of the present ayacut will of course be a certain amount and that water will be spread over the ayacut by the sluices working at particular duties which will ensure that all fields get a proper supply. At the same time, we must remember that two of these three channels are 50 to 60 miles long and it is not very easy to regulate the supply of water to the tail-end channels, unless we have well-regulated sluices. That is all that the Government intend by this motion; and I can give the House this definite assurance that we will not increase the ayacut until we know that the present supply justifies such an increase. Also, I have no doubt at all that before such an increase of ayacut is recommended by the Chief Engineer or the local officers, the views of the ryots now irrigating there will be considered. I hope, Sir, that this motion will not be pressed, because these works are, from the point of view especially of the tail-end ryots, extremely necessary."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Only one point, Sir. In case the Government want to make any change, even then they can consult the ryots. If the Government can do that, it will be more satisfactory."

* The Hon. Sir CHARLES SOUTER:—" That is rather difficult, because we have to fix varying duties in regard to the various channels. What am I to do?"

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" For instance, if the Government are going to increase the ayacut, say, from 30 to 40 acres, that will make a serious difference. In a case like that, if on account of experiments carried out, they want to make radical changes, they can consult the ryots before giving effect to such changes."

The Hon. Sir CHARLES SOUTER:—" Sir, I shall consult the Chief Engineer about that. It is a technical point, and I will have to consult him on this matter."

* Mr. K. A. NACHIYAPPA GOUNDER:—" Sir, I welcome the assurance given by the Hon. the Revenue Member; but I would request him to hear the ryots before these proposals are proceeded with. I think the ryots have got some valid reasons to put forth. In the hope that he will take this suggestion into consideration, I withdraw my motion."

The cut motion was, by leave, withdrawn.

The Demand was put and carried and the Grant was made.

(3) GRANT XVI—ELECTRICITY—RESERVED.

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

'that the Government be granted a further sum not exceeding Rs. 300 under Grant XVI—Electricity—Reserved.'

[Mr. A. T. Pannirselvam] [27th August 1936

" This provides for token grants of Rs. 100 each for—

(*a*) installation of additional generating machinery in Pykara;

(*b*) extension of supply of power under the Pykara system to Virudunagar and other places in the Ramnad district; and

(*c*) construction of a thermal electric power station at Bezwada;

—*totalling Rs. 300. An explanatory note* [a] *has already* been circulated to members explaining the necessity for taking up immediately the work of consructing an additional generating machinery in Pykara, so that the additional installation might be available for working at least some time in 1938 by when we expect a necessity for additional power might arise. The need for the other two items—i.e., the extension of supply to Virudunagar from Pykara and the construction of a thermal station at Bezwada—is, I believe, obvious, and need no explanation from me."

* Mr. G. R. PREMAYYA:—" Mr. President, Sir, I move my amendment—

'*to reduce the allotment of Rs. 300 by Re. 1,*'

with a view to elicit further information regarding the proposals of the Government regarding the terms of the licence in the case of the various municipalities in Kistna district. Sir, we are glad to know that Government have after all come to establish a thermal electric power station at Bezwada; but already several private licensees are working in various municipalities, especially at Gudivada, Ellore and Bezwada. If these municipalities receive electric power direct from the Bezwada station, it will be cheaper for them; but if they receive electricity through the present agencies, it will not be cheaper. I want to know if the Government want these licensees to go out bag and baggage. I think it would not be good on the part of the Government to send them away without any compensation. No doubt, if they go out, it will be beneficial to the municipalities and to the Government. I only want to know what the terms are that have been arrived at between the Government and these private licensees with regard to the supply of electricity."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Sir, the present licensees will continue to be where they are now operating—only with this difference, that instead of generating power as they do now, they will take power in bulk from the Government and distribute it within the area of their present operations. The rates will be the present Pykara rates, plus 25 per cent, as a first step; and as the work progresses, and when we find the rates can be made cheaper, the idea of the Government would be to try to gradually reduce the rates to the Pykara rates."

Mr. G. R. PREMAYYA:—" I beg to withdraw my motion."

The cut motion was, by leave, withdrawn.

* Sir A. P. PATRO:—" Sir, in moving my amendment—

'*to reduce the allotment of Rs. 300 by Re. 1,*'

I wish to say that my object in giving notice of this cut motion is to raise the question of the policy of the Government to have central thermal power stations, with reference to the City of Madras. Sir, this

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[a] Printed as Appendix XII on pages 133–142 infra.

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and to have independent cables, the Corporation has obtained a loan and has begun to do the work. It is not possible to understand why an attempt should not now be made to bring power from Mettur or Pykara and supply it in bulk to the Madras Corporation for distribution to the citizens. Sir, this is a very great problem. I would request the Government to consider the terms of the licence granted to the Electric Supply Corporation, to revise them and to make necessary arrangements, so that the arbitrary power of the Electric Supply Corporation may be minimized. I have had complaints from rural sections that the Supply Corporation has been actually overriding every principle of justice and fairness. I therefore want to draw the attention of the Hon. Member to this important aspect, viz., that the terms on which the licence has been given to this Supply Corporation seems to be very liberal.

n. "I do not know why the Government should allow the Electric Supply Corporation to extend its operations beyond the City of Madras, especially at a time when the present licence expires and when Government have to pay a larger sum of money to this Corporation at the expense of the people. If you only know the manner in which the engineers of this Supply Corporation are working, you will see how the poor people are largely put to trouble. Take for instance, what is happening in Calcutta. There the charge for a unit is $2\frac{1}{2}$ annas, whereas in Madras you charge 4 annas. In Calcutta there is also the rebate system of payment according to which if the bills are paid promptly they grant a rebate, and thus the charge for a unit comes only to about $2\frac{1}{2}$ annas. There are two kinds of supply of electricity so far as the city is concerned; one for industrial purposes and the other for domestic and lighting purposes. In the case of domestic consumption the rate charged is 4 annas, whereas the rate charged for small industries, such as for flour mills, oil extracting mills, etc., is said to be $1\frac{1}{2}$ annas. The reason why they charge 4 annas for the supply of power for domestic purposes is to make up the deficiency in the rate charged for small industries. Further, because the city rate is 4 annas, all other mufassal stations also charge the same rate of 4 annas. I know that the example of the city is being followed in the mufassal places also. But I consider that the Calcutta case should be taken into consideration in charging rates. I know the example of Bombay may be brought in here. In Bombay they charge this rate because, I think, they started levying the rate after looking into the favourable terms which the Madras Government are giving to the Electric Supply Corporation. Therefore, Sir, I think the whole thing requires careful investigation. The Electric Supply Corporation has got its licence extended up to 1946. As it is a costly affair, it is necessary that supplemental power stations should be constructed by Government, power should be supplied to the Corporation in bulk and the Corporation should distribute it among the consumers, because if the Corporation takes it up, the citizens will have a voice in controlling the thing and they may also know how the work is carried on. That being so, we do not know why the Corporation should be eliminated and a private agency, an intermediary, a profit-seeking company, should be allowed to take advantage of the opportunity. I am opposed

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to the idea of an intermediary making profits at the expense of the rate-payers of the city. You see what happens in the case of other municipalities in the districts. Power is produced in bulk and that bulk is given to municipal corporations. Of course they may appoint agents or they may themselves take up the agency of supplying power and distributing it among the various consumers. That would certainly facilitate matters, because the cost could be ascertained, as also the difference between the cost of production and the cost of actual working. All these things can be done by the Corporation. In this case also, I think it should be easy to supply the city with electricity from Mettur where we have spent lakhs of rupees for the purpose of generating power. And if Mettur, according to the report of the Irrigation department is not able to supply water for generating electricity for about two or three months in the year, that deficiency might be made up as suggested by the Chief Engineer for Electricity, Major Howard, by erecting a central intermediate station worked by steam engine and thus you can supplement the power required. Similarly, what are you going to do in the case of Lammasinghi? There also the supply of water for generating electricity may not be sufficient. Similarly, wherever water-supply is found to be inadequate to meet the needs, you may have it supplemented by generating power by means of steam-engines, so that the work might be carried out. Therefore, Sir, in the City of Madras, the Madras Electric Supply Corporation should not be allowed to go on as at present, but the Government should take steps even from now onwards in order to see that power is brought down to Madras from either Pykara or Mettur and to erect an intermediate station for supplementing the power, if necessary, and then supply it in bulk to the Corporation for distribution to consumers. This is my main object in moving the cut motion. Here I wish also to draw the attention of the Government to the great difficulty that exists in dealing with this Electric Supply Corporation under the rules and by-laws framed by them. The consumer is always at the mercy of the Supply Corporation. From an inspection of the rules and from an understanding of the situation, I think it is highly necessary that Government should take into its own hands the erection of a central power station and supply power in bulk to Madras Corporation so that they may be able to supply it to the city consumers.

"Now, Sir, as regards the termination of the period of licence, I think it is a matter for the Government. Government entered into an agreement with a foreign company with their eyes open; all the profits go out of Madras and no one is benefited by the profits except the Supply Corporation. They are declaring dividends at the rate of 8, 9, 10, 12 or even 14 per cent at the expense of the people of the city. Therefore, Sir, in the interests of the people of the city I plead that Government should overhaul the whole system and try to see that the rules and by-laws of the company are modified or to see that a central power station is constructed and power brought from either Mettur or Pykara with a view to help the Corporation in the matter of distribution of power. It is for these reasons that I have given notice of the cut motion."

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* The Hon. the PRESIDENT:—" I take it that the hon. Member has not dealt with the other portion of his amendment."

* Sir A. P. PATRO:—" The two were combined, Sir."

* The Hon. the PRESIDENT:—" The motion before the House is that *the allotment of Rs. 300 be reduced by Re. 1.*"

* Mr. J. A. DAVIS:—" Mr. President, Sir, after having heard the arguments of my hon. Friend, Sir Patro, I think the Government have taken up the attitude that the Pykara current in the first instance should always be available for distribution by local bodies and this matter has been pending before His Excellency the Governor, and even in his recent speech to the Ootacamund Municipal Council he promised to see that justice would be done to the Ootacamund Municipality. The Government have taken up the attitude that the Ootacamund Municipality ought not to be allowed to supply current outside its limits. I will admit that this is correct in principle. But as the Ootacamund Municipality was originally instrumental in bringing about the Glen Morgan scheme and thus helping the Pykara scheme, the municipality therefore claims certain privileges. If Government are going to take up a particular attitude, then the same attitude must be maintained in respect of Madras also and they should pursue a uniform policy throughout the Presidency. I would therefore support my hon. Friend, Sir Patro, in his remarks that Government should make it a principle that they give Pykara current to Madras through the Corporation, that is, the attitude that they have taken in respect of the Nilgiris should also be maintained in the case of Madras also. I would also appeal to the Hon. Member in charge to see that the question of giving special terms to the Ootacamund Municipality in the matter of its pioneer enterprise, will be favourably decided as promised by the present acting Governor."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, Sir, I am afraid, it may not be possible for me at the time at my disposal to deal categorically with every one of the allegations made by the hon. Member from Ganjam with reference to the injustice committed by the Madras Electric Supply Corporation. Nor have I before me immediately the necessary materials to do so. But I believe I can place the facts as they are available to me which will give satisfaction to the hon. Member as far at least as the attitude taken up by the Government is concerned. The Madras Electric Supply Corporation was granted its licence somewhere about the year 1905, obviously the circumstances then prevailing being taken into consideration; and that licence is due to expire only in 1947, that is 11 years from now. And, however the conditions of the Electric Supply Corporation may appear to be now, it seems to me that it would be hardly open to the Government to interfere in the middle of the licence and try and alter its terms. Not that I admit every one of the allegations made by the hon. Member, but I am just stating the technical position which the Government occupies vis-à-vis the Madras Electric Supply Corporation. I might at the same time state that regarding the so-called hardships which the people have to suffer at the hands of the Supply Corporation,

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they have proposed to reduce the terms with effect from January last, i.e., dated 1st January 1936. Their revised rates are slightly higher than our Pykara rates, and the Government have not yet finally accepted them. We are still considering the question as to whether we cannot have those rates reduced a little more and that is about the furtherest that we, I think, under the circumstances, could do, because we cannot ignore the fact that this was a firm or a company which undertook the task of supplying electricity so far back as 1905 when as far as our part of the country was concerned, electricity or generation of electricity was almost in its infancy and they have invested in that concern a capital amounting to almost two crores; and we cannot also afford to ignore the fact that under the terms of the licence, they are entitled to operate till 1947.

"As regards the practicability or the advisability of importing Pykara power to Madras and asking them to take a bulk supply and be merely a distributive agency, or even as far as our undertaking the supply of electric power in bulk to the Madras Corporation, if that was ventured upon immediately, I am afraid we shall not be doing a service to the consumers of the city, for this reason, that by the time we take the power all the way from Pykara to the city, assuming for argument's sake that we could immediately generate the necessary power either at *Mettur or Pykara, all round the year, the ultimate cost to the consumer* of the electricity generated in Pykara or in Mettur, and brought over to Madras, will be at least a little more than the rate now obtaining with the Supply Corporation itself."

Rao Bahadur Sir A. P. PATRO:—"May I know whether the question of supplying power from Mettur or Pykara has not been investigated by Major Howard?" 1-1 p.m

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"There is an idea *of gradually and in course of time extending the operations of Mettur* and Pykara and distribute power; but we could connect Madras only when we are within a reasonable distance from Madras. The power in such circumstances will be supplied all along the way and we should then be able to distribute power at a cheap rate even for Madras. But if to-day with the large intervening space between the outer limits of the Mettur or Pykara area and Madras, we bring it over here, the result will be that it will cost the consumer even more than at present. I go further. I am doubtful if merely with the Pykara power station, even after completing the present proposal, even after 1938, we should be able to generate the same amount of power which the present Electric Supply Corporation of Madras is able to do. Even ultimately when we have connected Madras with Pykara or Mettur, the idea is not to abandon or close up the Supply Corporation's generating plants but to keep them as a lay by because there might be months, probably two or three months in a year, when we shall not have necessary facilities in Pykara or in Mettur for generating the power necessary for such a huge area. We shall have to depend on them during those periods."

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An hon. MEMBER:—"Why not have intermediate terminal stations?"

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I presume the hon. Member refers to thermal stations. I am afraid that if you are going to put up a thermal station at every way side station, the ultimate cost to the consumer may be much more than what we intend it to be. For the present, therefore, we cannot afford to bring power from Pykara or Mettur. But our ultimate aim is to connect Madras with Mettur or Pykara; and in the meantime, as far as the Electric Supply Corporation is concerned, we are doing our best within the terms of the licence in bringing our influence to bear on the Corporation to see that power is made available to the people at as cheap a rate as possible. I am told when the present negotiations with the Corporation come to be settled the rates obtaining in Madras will not be very much different from the Pykara rates.

"The hon. Knight referred to the rates obtaining in Calcutta and other places; but I am not aware what facilities enable Calcutta to supply power at a lower rate than we are able to do. All that we can do is to consider the problems of our districts and while seeing to it that it is not a wholly profiteering concern, we must at the same time see that power should be made available to the people of Madras."

The cut motion was, by leave, withdrawn.

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I move—

'*that the allotment of Rs. 300 be reduced by Re. 1.*'

"The reason why I have suggested the putting up of two penstock pipes is that the Government have already in their report admitted that there is a rapid demand for electricity for agricultural, commercial and industrial purposes."

* The Hon. the PRESIDENT:—"May I know if the hon. Member is likely to take more than ten minutes?"

Mr. K. KOTI REDDI:—"I shall finish in ten minutes."

* The Hon. the PRESIDENT:—"I just interrupted, so that in the event of the hon. Member taking more than ten minutes, the motion may be taken up after lunch."

* Mr. K. KOTI REDDI:—"I shall give a guarantee and I shall try at least this time to finish in ten minutes.

"I feel, Sir, that it would be much better to have an eye on the future demand than to undertake piecemeal construction as the demand for it arises. Particularly is it so after what fell from the Hon. the Law Member that there is to be possibility of the scheme serving Madras in 1947 when the licence of the Electric Supply Corporation is due to expire, and when there is a desire on the part of the Government to connect Madras with the Pykara or Mettur. I believe, Sir, that the cost of power from these schemes will be much cheaper than the power supplied from a thermal station at Madras. If that were so,

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I think it would be desirable to lay up one more penstock pipe line. At any rate I would suggest that the ground for laying down one more pipe line, if not two, may be prepared, so that whenever the demand arises you may install the pipes. The ground is to be levelled and made ready. It seems to me that money will be unnecessarily wasted by such piecemeal construction and I think it would be much better that, with an eye towards future development, the ground for one more pipe line may be prepared—I am not keen that the pipes should be installed at present.

"Then, Sir, as regards the second point, we are not aware what arrangements the Government have made. This is a huge undertaking where vast sums of money are involved—*lakhs* and crores are being spent. I want to know whether the Government are exercising proper supervision so that money spent is not wasted. I would like Government to see as far as possible, if not universally, that advertisements for these undertakings, either in part or as a whole, should be published in all the important countries of the world where big electrical works are being undertaken. We know that Japan is one of the leading countries of the world where vast development of hydro-electric power has been undertaken. It is a country that has supplied electricity to each and every village. I am told that the cost of supply of electricity in that country is very low. Even in the matter of penstock pipe *lines and other materials they are manufactured there at much* less cost than in other countries. I want to know if the Government have done anything in the way of advertisement in Japan regarding their requirements and whether they always accept the lowest tender.

"The third point that I want to be enlightened on is whether the cost of power developed in thermal stations is very much higher than the power developed through hydro-electric schemes. I want to know if it would be possible to give information by which we can judge the relative cost, to find out for the matter of that whether there is any real possibility, for the Ceded districts to get cheap electric power unless some of the big irrigation schemes which we have been hoping for, out of which electricity from water power can be developed, are completed. These are the three points on which I hope the Government will furnish information."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, as regards the first proposal suggested by the hon. Member from Cuddapah, regarding laying down of two penstock pipe lines, I may at once state that it will serve no useful purpose. As it is the proposed lines are not intended to be used throughout the year. They will be requisitioned most probably during the season during which Mettur water falls short and there is need for generating greater power in Pykara. *During the rest of the period the* present two penstock lines only would be in use. Even under the present proposal we have one penstock pipe and a generating plant. The second one will take at least some eight years. The growth of Pykara demand, rapid as it

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has been is not expected to exceed what can be supplied by this additional penstock until 1944. The new penstock will be of such size as to supply water to two 16,000 h.p. turbines, so that its capacity is over three times the capacity of each of the present penstocks.

"It will be quite adequate to meet the expected demand for the next eight years. Later a second similar penstock will be installed on demand justifying it. For the present, therefore, a second penstock would mean considerable unremunerative expenditure. As I said, no useful purpose would be served by putting up two more penstock pipe lines at once. It would be a more practicable proposal to put up a dam and collect all the water which now operates the Pykara power house lower down and construct another pipe line putting up another additional power station. This will be a more advantageous proposition than merely increasing the number of pipes in the Pykara.

"As regards the comparative cost of power produced at thermal stations and by water, experience has shown that the supply of hydro-electric power at a particular place might be very much less than the cost of generating it at a thermal station. But when it is a question of distribution over very large areas, it is quite possible that the hydro-electric power is found to be even more costly than the power generated at thermal stations. It all depends on the area to be supplied, the load that can be carried and required and the number of consumers and things like that. If within a compact area you find a large number of consumers, the rate per head would be very much lower than it would be if the area to be served were very wide. I am quite sure that the Government will take all these things into consideration and adopt the one or the other system according to the circumstances of the locality.

"As regards advertising for our requirements in the various countries of the world, I may state that that procedure is being adopted even now having regard to the quality of the materials available. In fact we do not restrict our advertisement to British Isles and India. We advertise in such countries as Sweden and Germany as have specialised in the manufacture of articles useful for hydro-electrical purposes. As regards extending this facility to Japan as well, I am sure there is not the least objection provided you can be sure that the cheapness does not interfere with its quality. Hon. Members will agree with me that this is not a matter in which we can afford to take any risk. You could not take any risk simply because it happens to be an oriental country or an advanced country. I may assure hon. Members that price *cum* the quality of the articles is the principle that is being adopted."

The cut motion was, by leave, withdrawn.

(After Lunch—2-30 p.m.)

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I beg to move—

'*to reduce the allotment of Rs. 300 by Rs. 1.*'

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" I am moving this motion with a view to get more details of the scheme of installation of additional generating machinery for the Pykara Hydro-Electric system; and to get more information as to the necessity of extension of supply of power under the Pykara system to Virudunagar and other places in the Ramnad district. Sir, in the explanatory note that has been presented we observe that the Government propose to have one more penstock pipe and also a generating machine costing to the tune of 37½ lakhs. Again, Sir, I find that Government has given us a programme of capital expenditure and revenue forecast. But I fail to see information furnished as regards the capacity of the water storage in the Glen Morgan Storage as well as the Mettur dam which is under construction. In schemes of this nature I feel that water which will be available in these dams ought to be carefully worked. During this year I think the Government is aware that the Nilgiris had the worst draught unknown in the history of Nilgiris and consequently there was a water famine. As the Government proceeds on a very big scale of supplying electric current to the various districts I think we must know in the first place whether these two dams will be able to discharge that amount of water that is necessary for the working of the three penstock pipes and also the machinery. Another point is that the Government have constructed various distribution lines from the Pykara to the districts in the plains. I would like to know whether provision has been made whereby these lines will be able to carry a very heavy load expected when these schemes are finished. When the storm broke out in the Nilgiris there was a great damage done to these lines by the falling of trees and other things. I do not know whether Government had taken precautionary measures to keep the line beyond damage during such storms and tempests. As regards the forecast, Sir, I would like to know from the Hon. the Law Member whether ryots will be getting cheap current. As it is to-day, Sir, it is the bigger mills that are using the current mostly. On several occasions opinion has been expressed in this House about the need for giving cheap electric current to the ryots to facilitate their irrigation. I do not know whether the Government has made a survey of it and whether the extended scheme will give some more relief to the ryots. Another point is about the extension of the scheme to the Ramnad district, I mean Virudunagar. From the note I find there is another proposal to connect Virudunagar with Rajapalayam. I do not know whether Government have been able to get an agreement with the owners of these proposed mills that they would take current in due course. I think this is a point which Government ought to take note of before they launch upon a costly scheme like this. I would like to know whether these points had received consideration at the hands of the Government."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" As I have stated already, Sir, the idea is there would be sufficient water for use even with the erection of two additional pipes. I might also state, however, that Pykara is to be worked in conjunction with Mettur. Both of these power stations are being linked up. The result will

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be that when the facilities in Mettur during irrigation time are available for generation of power, water in the Pykara will be kept in storage and in the off season when Mettur water is not used then the Pykara water will be used. So these two are expected to work conjointly and therefore I should expect barring very extraordinary circumstances we should have sufficient supply of water in the dams. As regards cheaper electric supply to agriculturists I may state that it is our ambition to bring it to the poor ryot at as cheap a rate as possible. I believe, if I remember right a deputation of agriculturists from Coimbatore waited on His Excellency during his recent visit to Coimbatore and the matter is being investigated. But to supply it immediately at a very low rate as the hon. Member would realize is not a practicable proposition. As the load goes on increasing the incidence will certainly be lower. As regards extension to Virudunagar we can only make a forecast of things before we launch on a scheme and we expect these mills would ordinarily adopt the prudent course of taking cheap power where it is available and on this basis the forecast is made."

The cut motion was by leave withdrawn.

* Mr. K. A. Nachiyappa Gounder :—" I move—

'*to reduce the allotment of Rs. 300 by Re. 1.*'

" My object in so doing is to stress the need for reducing the charges more especially to agriculturists and to insist on expansion in rural areas too. To impress on the need for undertaking the extensions by the Government or entrust it to the municipality or the panchayat. To insist on the desirability of making adequate safeguards for workmen. To elicit further information about the disposal of plants, etc., at Virudunagar. To raise the question of income from thermal schemes.

" In moving my amendment I desire to insist on the Government that they should immediately attend to the question of reducing the rates. The Hon. Member said that a deputation from the agriculturists waited on the Governor on this question and that the matter was under consideration. I wish the consideration takes a quick turn and materializes at least in the near future. I may say, Sir, that before the Hon. Member now holding this portfolio hands over charge to his successor it is an opportune time for him to make an announcement in his time in the matter of reduction of rates so that the ryots may have the advantage. In the matter of expansion of electricity I would like to insist that the Government should proceed on the basis of a definite programme of development in an area without negotiating with the people in the area whether they would agree to this term or that term. In every area you must have a net work of lines so that people may take advantage of this power. In making that survey I would insist that they take up regular programme of compact areas and have the construction finished without making exception between one place and another. I wish the Hon. Member takes

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into consideration a regular programme of electrical development for each area and proceeds regularly on that programme. I would like to mention another point in which the Electricity department and the Public Health department come into conflict, and finally give a set back to the improvement of industries. I hear, Sir, that the Public Health department is not looking at things from all practical points of view in factories where electric power is to be utilized. Under the Municipal and Local Boards Act there should be certain conditions fulfilled with regard to the installations of factories. These conditions evidently were stipulated with regard to factories using oil power or steam power. But I hear, Sir, that even where oil engines and steam engines have been substituted by electric motors the same conditions are insisted on. It is a pity that Government do not seem to take into consideration that electric power does not make nuisance as oil or coal or steam power. I think it is good for the Government to take up that question and see that sort of clash does not come in so that the utilization of electric power comes up for all industrial purposes and the cottage industries thrive. There are Government Orders prohibiting installation of machinery unless certain conditions are fulfilled. These conditions seem to be made to hold good in the matter of electrically driven machines too and this, I fear, stands in the way of promoting our industries. Electric power does not cause any nuisance, but it will add to the health of the locality by the production of ozone gas owing to the running of these electric motors instead of a lot of carbon gas produced by the oil or other power engines.

" So, I would urge that the Government should take into considera- 2-45 p.m.
tion that aspect of the question. Of course in the case of dangerous trades, it is but just and right on the part of the Government to see that offensive trades are not allowed in dwelling localities. As regards harmless trades, even though located in thickly populated quarters, I may submit, Sir, that the electrically driven machines may not cause any nuisance to the people of the locality. I hear, Sir, that the matter of change of electric power in the place of oil power has brought in a controversy in the Erode municipality, where owing to the difference of opinion between the Health department and the Hydro-Electric department great difficulty is caused to the factory owners in the matter of developing industries. I wish that Government should look deep into the matter and see that this sort of difficulty is not experienced. I think the Minister for Public Health and the Member for Electricity will do well to put their heads together and see that such a controversy is set at rest for the easy development of industries in our country.

" Then, Sir, with regard to the distribution of power to the municipalities or the panchayats I am sorry to note, Sir, that the Government are contemplating to entrust the distribution to private persons in the case of Rajapalayam and Srivilliputtur panchayats. I do not know why this policy is again coming up. In the matter of giving such contracts to private companies, we have already raised the question in the case of Salem and Erode municipalities, in the earlier periods of

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this Council and then the Government promised that they would entrust the undertaking to the local body if it could do it. I do not know why they now come forward and say that they are giving the contracts to private companies in the case of Rajapalayam and Srivilliputtur panchayats. I would suggest that Government themselves should take up the work if the panchayat or the municipality is not in a position to take up the scheme on hand.

" Then, with regard to the temporary staff and workmen employed, I get complaints, Sir, that there is no regularity of employment or fixity of tenure. Persons who have been employed in a certain work are not even allowed to continue so long as the work is proceeding, but they change the workmen every now and then, just as it pleases the officer in charge of the work. I would urge, Sir, that even though it is temporary service on which these people are employed there should be some rules to regulate employment and promotion according to seniority, of course, other circumstances being equal. In the best interests of the work and workmen there should be some definite principles observed in these matters. Hence I urge for framing some definite rules in order to regulate the services of these temporary workmen.

" With regard to the Virudunagar scheme, I find that the Government are going to have hydro-electric power introduced there, and they also say that they have got machinery already installed which is working there. I want to know what they are going to do with the machinery which the municipality has already got. I suppose the municipality would have installed the machinery by taking some loan. I want to know what the Government propose to do with that machinery or the loan granted for it.

" In regard to thermal schemes, I want to know, Sir, whether it is not possible to increase the revenue. In the case of the hydro-electric schemes now before us we find that in the seventh year the income derived would be about 16 per cent, and in the thermal schemes it will be only 6·46 per cent in that year. When these two figures are taken into consideration, apparently the income derived from the thermal scheme is very low. So I would like to suggest this. I think the Papanasam and other hydro-electric projects which are contemplated will be realized in the near future. The hydro-electric schemes will undoubtedly give a good income and can supply cheap power too. That being so, if these thermal schemes are proceeded with, I do not know what we are to do with them when hydro-electric power is available for that area. I would urge that the Government should take up this point into consideration and see whether they should wait for some time and make use of the hydro-electric power when available instead of going on investing heavy amounts on thermal schemes.

" With regard to the hydro-electric schemes under reference, the income derived in the course of seventh year is said to be more than 16 per cent and as years pass, naturally it will be on an ascending scale. When the income rises to more than 6 or 7 per cent it is advisable on

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the part of the Government to go on reducing the rates so that electricity may be taken up and utilized by people on a much larger scale, and thereby the Government also may get more revenue. Much increased revenue we will get by these extensions though the rate is reduced and the secret of trade is that more and extensive sale at a cheap rate will really bring more profit than a small sale at a very high and enhanced rate. So, I would urge it should be possible on the part of the Government to reduce the rate and thereby popularize electricity. Then, I can assure them that they will get greater revenues because electricity is cheap and every one will be coming forward to use it. Especially for the agriculturists, it is quite necessary that they should have a very low rate. When the Mysore Government is in a position to give electricity developed from the same Cauvery at 6 pies per unit for these people, I do not know why this Government should charge one anna per unit for them. So, it is high time that the Government should consider the question of reducing the rates for agricultural purposes as well as for other purposes too."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, Sir, in his characteristic way, the hon. Member from Salem has dealt with every aspect of the Electricity department on his one rupee cut. I hope he will pardon me if I am not able to reply to him in as great a detail as he seemed to have gone into. In regard to making electricity available at a cheaper rate, I have already said what I had to say in the matter, and I can only express the hope that with the further development in the consumption of electricity we should be able to make it cheaper still.

" As regards his complaint of want of co-ordination between the Health department and the Electricity department and of abrogating some of the factory laws when electric power is substituted for oil or other power, I am afraid it is a matter in which I am not in a position to give a very satisfactory answer for this reason, that it is a matter really for experts to deal with, and we have no reason to think that the Health department as such is imposing unnecessary conditions. My own belief is that in the matter of looking to the comforts and conveniences of the workers in a factory, one cannot possibly be too careful. All the possible and necessary precautions about not overcrowding in a factory and about the necessary ventilation and other conveniences to be provided for workers and other safeguards for the labourers against accidents, are perforce to be strictly observed. If there be any individual grievance or if a factory owner thinks that the demands made on him by the Health department are unreasonable, it would then be open to the factory owner to approach the Factory Inspector, who, I am sure as administrative head, would look into things from all aspects and from the point of view of both the employer and the employee.

" As regards the handing over of panchayat areas to private agencies for electric supply, it has been reiterated more than once in this House that it has been the invariable practice of the Government

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to entrust the distributive work to a local body in preference to a private agency provided the conditions are favourable, that is, that the municipality or the local body concerned is financially in a position to undertake the task and the Government could be satisfied that they will be able to do the work. In such cases, for the first three years or till the scheme becomes financially a self-supporting one, the Government on behalf of the local body runs the affair. It is only when we find that in any particular area, the local body or the panchayat board or the district board concerned is not willing or is not in a position to take up the work that we issue the licence in favour of a private agency. Even there we impose very severe conditions, the strict enforcement of which is always insisted on. Under those circumstances, I do not think we could complain that the Government is not justified in entrusting the work to a private agency. (Mr. K. A. Nachiyappa Gounder: 'Why not the Government do it?') For the Government to undertake the distribution in very small areas when there are other agencies, is imposing on itself a task the result of which would not be commensurate with the trouble involved. After all, we have to consider that the Government at the top must be more careful to see to the main works being carried on satisfactorily, and the small distributive work which is comparatively of lesser importance can be more usefully entrusted to some other agency, to the local body if available and failing which to private agencies. Even there, it is not always that we go in for private agency; for having regard to the future, what is now only a small distributive system may likely become in course of time a bigger project. Such kinds of work are kept in the hands of the Government even now. For instance in the rural areas, we are in favour of keeping the thing under the Government instead of handing over the work to a private licensee.

"As regards the complaint which my hon. Friend made about th staff in the Electricity department not being treated properly, I ca only say that during the few weeks that I have been in charge I hav not had even a solitary instance brought to my notice. Even temporar service has got its own rules, which even the head of the departmen cannot afford to ignore, and I am sure the rules now provide all th facilities available to every subordinate in the service, permanent o temporary. The House might be aware of a recent circular issued tha failing remedy even at the hands of the Members of the Governmen it is open to any servant of the Government in whichever departmen he may serve, whether he is actually in service now or not, to mem rialize the Governor, when his case is sure to he investigated by ever body concerned. Therefore, I am afraid that merely on the gener representation of my hon. Friend, Mr. Nachiyappa Gounder, I am n in a position to go into the whole question. If he can bring forwa a concrete instance, we will look into it.

"As regards the variation in income or profit between hydro-electr schemes and thermal schemes, there is bound to be that variation i certain areas for the reason that generation of electricity in a hydro-ele tric schemes costs comparatively little, but in thermal schemes, th

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orking costs also have to be met. Therefore, there is bound to be a ifference. But when we get to larger areas taking into account the aintenance charges and the cost you have to pay for cables and things ke that, we have heen told that working on average we can bring about sort of uniform rate as far as possible. As I said, it is not possible lways to have one uniform rate throughout the province.

"For instauce, however anxious we may be to reduce the rate in ie Bezwada and Vizagapatam schemes, for the present we are forced levy a rate which is 25 per cent more than that under the Pykara cheme. In course of time we hope that these inequalities can be djusted and we can only look forward to thiugs improving generally. believe I have dealt with as many points raised by Mr. Nachiyappa lounder as my memory could retain. I hope that he is satisfied with iese explanations."

The cut motion was by leave withdrawn.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I beg to move the motion standing in my name, i.e.,

'*to reduce the allotment of Rs.* 300 *by Re.* 1.'

"Some two years back they said that they would open a thermal station at Bezwada and supply electricity to the whole of our parts. The Government then said that this was possible and explained it with the help of a map. Having said this they have been granting licences to various people in those areas where they proposed to start thermal statious. I do not know why they are doing so, if they have any idea of developing electricity themselves. In the explanatory note circulated to us the Hon. Member says:

'The scheme can easily be expanded to include transmission lines to Guntur, Tenali, Bapatla and Repalle in the Guntur district, the Bezwada station capacity being correspondingly increased. This further stage is somewhat uncertain at present owing to the difficulty anticipated in making satisfactory arrangements with the licensees in Guntur district.'

"I do not know why they put themselves in this position with regard to the licensees in the Guntur district. They ought to have considered all the aspects of the question when they granted the licences. An extension of licence was granted a year back when the Government were contemplating the erection of thermal stations at that place two years ago. I want to know why they did not take care to safeguard their interests when they granted extension of licence. That is one aspect in regard to which the hon. Member has to answer me.

"My second point is this: In the second paragraph of the explanatory note they have stated that with regard to Ellore and Gudivada they are prepared to negotiate with the private agencies. I want to know how they are going to negotiate with private companies there, and for what reasons they are not in a position to so negotiate in the case of Guntur. For a long time we have been anxiously waiting to get electricity in Guntur. If the licence-holders in Guntur are not able to raise enough capital in time and supply us energy, what are we to do? Are we to wait indefinitely? As a matter of fact in Guntur the licence-holders offered as much as 6½ per cent interest for a loan of

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about Rs. 85,000 which they raised by issuing debentures. If they pay this high rate of interest on the capital required by them, will it be possible for them to supply electricity at cheap rates to the ryots? Here in the Council we have been demanding that electricity should be supplied to the agriculturists and industrialists at cheap rates. Could a company of this kind which has to pay a high rate of interest for the capital required by it supply the need, or supply energy at as cheap rates as the Government can? These middlemen could only be expected to make a lot of money by way of profit. Why should the Government allow these middlemen to make such profits in connexion with works on which they could easily allot a few lakhs more than the 70 lakhs they have already invested? Now, Sir, if it is considered that there is nothing wrong in allowing somebody to make a profit out of this, why should they not allow the municipalities to find a source of income in this enterprise? With these observations I request the Hon. Member in charge to see that Government extend electricity at once to Guntur as they themselves had originally contemplated. According to the note, there is no chance for it for some time to come. I do not know when we can get it. The Hon. Member's predecessor who is now the Acting Governor of our Province promised to me in connexion with the budget debate that he would introduce electricity in Guntur also before the Council is dissolved. As such, I want the Hon. Member in charge of the subject now to bear in mind this statement of His Excellency the Governor and see that electricity is supplied to Guntur district without any further delay. The private agency which is in charge of the whole area now cannot supply electricity for some years to come. Though the licence was granted to them one and a half years ago, they have not been able to supply electricity to Tenali till now. That being the case, when Bapatla and other places get electricity, it will be two years more. I once again appeal to the Hon. Member in charge to see that something is done without further delay."

* The Hon. Rao Bahadur A. T. Pannirselvam:—" Mr. President, I can only refer the hon. Member to the same paragraph in the explanatory note to which he referred. It would show that the question of extending the power generated at Bezwada will receive all the consideration possible at the hands of Government. After a careful consideration of the existing difficulties they have not decided to include those portions of the Guntur district within the Bazwada scheme immediately; other avenues are being explored for bringing it in a as early a date as possible. The difficulty is only this: that in the licences now being issued the condition is included that when the Government are in a position to supply electricity in bulk, the licensee will agree to the right of the Government to generate electricity and would only act as the distributing agency; but in the licences that were granted before a certain date a condition of this kind was apparently not there. It is the absence of this condition in those licences that has necessitated the negotiation being spoken of. And ... as negotiations go, I can only say that we have been able to com

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to some understanding with several other licensees. I do not see any reason why the agency in Guntur district should prove an exception though in all cases of negotiations there are bound to be certain controversies in the earlier stages. Therefore, however anxious we might be, to include as large an area within our scheme as possible, it would not be possible for us at the same time to strictly comply with my hon. Friend's request for bringing in Guntur within this scheme to-day and at once. I can only say that we all live in hopes and Guntur can also live in hopes."

The cut motion was by leave withdrawn.

The Demand was then put and carried and the Grant was made.

(4) GRANT XIX—MEDICAL—RESERVED AND TRANSFERRED.

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, on the recommendation of His Excellency the Governor, I move—

that the Government be granted a further sum not exceeding Rs. 100 under 'Demand XIX—Medical—Reserved and Transferred.'

"The explanatory note [a] that has been circulated to hon. Members explains the need for this amount. I think therefore I need not say anything further at this stage."

* Mr. G. R. PREMAYYA:—"Sir, I move the cut motion that stands in my name, viz.,

'to reduce the allotment of Rs. 100 by Re. 1.'

"My object is to discuss the urgent necessity of creating the post of a Lay Secretary. It is suggested that this appointment is necessary to examine the internal economy of the medical institutions. At page 22 of the note the necessity for making this appointment has been explained. To me it seems that the duties of this officer seem to be very simple. Are we to appoint such men for all the departments? We want to examine the internal economy of the Police department. Are we going to appoint another such officer for the Police department? The same kind of work has to be done in the Judicial department. In the Revenue department an examination of this kind is necessary. Are we going to agree to appoint men to all these departments paying such a huge salary as Rs. 1,050 per mensem and also first-class fare from England to India? It seems that this gentleman is not ready to accept this offer and that if he rejects the offer, another suitable person will be selected, if possible, on a lesser rate of pay. Sir, our District Medical Officers belonging to the I.M.S. cadre who are in charge of the mufassal headquarter hospitals get only, speaking subject to correction, a salary of Rs. 500 to Rs. 1,200.

"Practically this gentleman gets as much as our District Medical 3-11
Officer. Personally I feel that there is no necessity to appoint any Lay p.m.
Secretary to do this kind of work in this department. If there is any necessity I prefer an I.M.S. Officer who has already been in the department. The reason why I prefer an Indian Medical Service Officer is this: an I.M.S. Officer knows the business because he has been in a

[a] Printed as Appendix XIII on pages 143–145 infra.

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headquarter for a long time and he knows the needs of the department. If there is any difficulty in getting an I.M.S. Officer and it is found necessary to get only this officer as Lay Secretary, then every other department needs the same thing. This gentleman was in Bombay and he could not continue there because he could not accept the terms offered by the Bombay Government. Of course he might have done good work. At the same time I am against appointing any gentleman who is an European as Lay Secretary, when there is a lot of Indians who are worthy enough, who are clever enough and who are in a position to do this work more efficiently than this gentleman. I doubt very much whether there will be any benefit in this Lay Secretary's appointment and if there is I prefer an Indian to a European."

* The Hon. the PRESIDENT:—"The motion is that the allotment of Rs. 100 under 'Grant XIX—Medical—Reserved and Transferred' be reduced by Re. 1.

"Since Mr. Rameswara Rao's motion is similar, he can talk upon the motion of Mr. Premayya."

* Mr. G. RAMESWARA RAO:—"The reason why I have tabled a motion like this is to find out exactly how we are better off for having had this appointment all this time, but we have not been told by the Government what exactly the improvements effected by the gentleman concerned are. If the employment of such a highly paid officer for more than one year shows some tangible results, to justify our incurring further expenditure, I can understand the position of the Government but nothing has been stated except the statement that on certain lines some improvements were suggested as referred to in the Explanatory note on page 23. But the money value or the economic effect upon the finances of the Government has not been mentioned. Merely to reproduce items one after another without telling us the economic state of affairs is not taking us into confidence. The Government have not told us how the finances will be improved by the continuance of this officer for another two years. If there has been any tangible improvement in the resources of the Government by economising the expenditure, the Government can say 'well, look here, you have so much advantage accrued to you by this temporary addition and so there is every justification for continuing the officer for another two years.' The Government have not either explicitly or by any implication satisfied us that any advantage has been derived by the existence of this officer for one year.

"Now, Sir, he is called the Lay Secretary, that is to say if his duties are merely administrative and economising the expenditure and seeing whether there is wastage in expenditure and if so of curtailing such expenditure wherever there is need for it and also of checking whether one patient gets the right sort of food or not, then I suppose such a work does not require such a knowledge which the officer in question possesses, and the Government may appoint a retired officer who will be quite able to attend to those duties. The Government would be doing a wiser thing if they appoint a retired medical officer who

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has been in touch with the administration and who knows the administration in detail. If such an officer is to be in charge of such an administration, he will be more efficient. That is the suggestion that I want to make. Let us not waste public funds in the name of effecting economy by appointing this officer for some more time without knowing how we have been benefited by one year's employment. Let us also incur the least possible expenditure and get the best possible advantage by appointing an able bodied and energetic officer, a retired officer, so that with his ripe experience and knowledge of the Presidency he might give a better lead to economy wherever it is needed, and also a better lead to administration. Instead of appointing a new man from a foreign land at such heavy expenditure, the Government may take advantage of the available men in this Presidency who are quite fit for this responsible post. The Government may appoint a retired officer and there are honourable and notable persons among them to deal with this branch of administration. For these reasons I request the Government to consider my suggestion and I hope they will do so."

* The Hon. the PRESIDENT:—" At this stage I would like Sir A. P. Patro to move his amendment to omit the whole grant and these two amendments will be discussed together and later on they may be voted upon one after the other."

* Sir A. P. PATRO:—" I beg to move—

'that the allotment of Rs. 100 under Grant XIX—Medical—Reserved and Transferred be omitted.'

" Mr. President, Sir, to my mind after reading the statement contained in the explanatory note on page 22, it seems that a more flagrant case of jobbery cannot be perpetrated. I say this advisedly and in all responsibility and add that this is a patent case of jobbery under the pretence of retrenchment proposals. We have got in the Presidency town, in the City of Madras not one medical institution, the General Hospital, but equally important and very big hospitals manned by Superintendents. In addition to the General Hospital, we have got the Women and Children Hospital, the Royapetta Hospital, the Rayapuram Hospital all of which want to compete with the general administration of the General Hospital in many ways. We have got also the Ophthalmic Hospital. All these hospitals are equally important as the General Hospital and yet for the General Hospital alone you want a man as Lay Secretary, not with general qualifications and not with equipment of any special knowledge on medical matters, but because he happens to be some Military Adjutant. Now what are the qualifications of this man whom the Surgeon-General and the Medical department want to run after. I am surprised that a responsible Minister, a Minister who has been in charge of this portfolio for so many years, a Minister who is expected to know how things are—the Minister who lends himself to such a proposal as this should accept the proposal. I do not know whether my Hon. Friend sitting there is responsible for this. But I do say that it is certainly preposterous of a Minister who is responsible to this House to have brought forward such a proposal as this. It is certainly wrong that a person should be

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indented for, should be entreated, and Government should go down on their knees and ask him 'thou shalt come and save us; without thee we shall fail.' Is this the policy which the Minister wants this House to support? Look at the qualifications of this man. He is a person who is to be practically a Personal Assistant to the Superintendent of the General Hospital. The Superintendent of the General Hospital receives a special allowance of Rs. 250 per month and the Superintendent of the General Hospital is assisted by a Resident Medical Officer and it has got three House Surgeons whose distinctions are very high. In addition to the Resident Medical Officer you have got a personal assistant attached to him and these three officers are there in order to place the economic side of the administration on a sound basis, leave alone the professional side. You have got three officers who draw salaries for the distinct purpose of looking into the administration of the General Hospital. I would draw the attention of the House to a few lines contained on page 23. There it is stated:—
'There is therefore the need for the appointment of a wholetime officer to be in charge of the non-technical organization of the hospital.' So he is intended not for the purpose of attending to professional work but for the purpose of attending to the non-technical side of the work as if the officers at present employed for the purpose are not sufficient.
10 So this officer was appointed in the first instance for one year but before
a. the year closed he ran away, and what has the Surgeon-General to do and what the Government have to do? As I said before they say unless that officer comes back the administration cannot go on. The question is: is the Surgeon-General or the Madras Government right in thinking so? Look at the terms offered to a person who was content to draw a lower pay. He came on the 17th July 1935 and resigned on 14th March 1936. Within this period what is the kind of thing that he has discovered? What has he discovered as to the sources of leakage and the places where extravagance is practised? What has he discovered with regard to the methods by which the leakage could be stopped? They are all described on page 23 of the note. But they could be discovered by the head clerk of any office or by any audit clerk. Put your audit clerk for two months on this job and he will be able to suggest how best economy could be effected. Presidents of District Boards and Chairmen of Municipal Councils are aware how these audit clerks who are paid only Rs. 50 to Rs. 100 come and inspect the accounts and are able to suggest ways and means by which leakages would be stopped and irregularities put an end to. Now let us see what the suggestions of this officer are. 'Revision of the existing system of hospital accounts'—does that require an officer on Rs. 1,200 to come all the way from England having a C class passage to and fro and a rent-fee house in Madras? Here is a person on Rs. 1,200 per mensem with free passage from England who has to tell the Government as to how to revise the existing system of hospital accounts. What is the next thing he has to do? 'Debit of the cost of certain articles supplied to hospitals to the hospital accounts.' Please read this carefully. 'Debit of the cost of certain articles supplied to hospitals to the hospital accounts.' Where else on earth these amounts of expenditure incurred on account

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of the several hospitals are to be debited but to the hospital accounts? Yet you want this expert hand to come from England on a salary of Rs. 1,200 with free passage to discover this for the Madras Government. What is the third item? 'Possibility of increasing hospital receipts from patients.' I repeat the words, 'from patients.' Already we know that fees are levied from patients who can afford to pay. That is done now. Does this officer want to levy fees from poor people for whom both sides of the House, the Government as well as the parties in the Opposition, have been urging that there should be free treatment? This great official, this expert from England, this man with wonderful knowledge who can work miracles in the General Hospital accounts, this miracle-maker wants to raise revenue from poor people. This is the great feat which the Madras Government expects from this expert officer. Then again, Sir, you see this: 'Control of expenditure on consumption of water and electric energy.' Remember, gentlemen. ..."

The Hon. the PRESIDENT:—" Order, order."

* Sir A. P. PATRO:—" I thought that the Hon. Minister in charge of this and the Members were also gentlemen. Control of expenditure on the consumption of electric energy and water—how could this gentleman (he may be a Lieutenant-Colonel or a Major-General; I do not know) control the consumption of water in big hospitals, the consumption of energy in big hospitals and thereby save lakhs of rupees and effect economy in expenditure? Need I say more, Sir? Need I say more than this to show that this is a patent case of jobbery intended to patronize particular individuals and not the hospitals at all? I say with all the emphasis that I can command that any Minister who will be a party to such a thing deserves the condemnation of this House. If on any side of the House any hon. Member supports the grant, then he would have to account before the voting public to-morrow. That must be remembered. I have spoken in great detail in order to show for what purpose this man is to be paid Rs. 1,200 out of the people's money.

" Another thing and a very great thing he is going to do is the 'Opening of a diary farm.' What happens? Agriculturists who have maintained their own dairy farms will know that as soon as this Lieutenant-Colonel takes charge and opens a dairy farm he would want five assistants to carry on; he would want about three dozen cows to be maintained. The cows will have to be fed and separate accounts will have to be maintained and assistants will have to be brought in and the whole thing will have to be done again. (Mr. K. Koti Reddi: 'Laundry.') My hon. Friend says 'laundry.' Leave that alone. For these other items of work are hon. Members convinced of the necessity of indenting for this officer, this Lieutenant-Colonel or whoever he is? The only apology that is offered in this note is that he was paid in Bombay some thousand rupees. But we do not know of any report of the excellent work he did in Bombay. It would have been very enlightening to us if the Hon. Minister had had the goodness to circulate to us a report of his work in Bombay. For I am not prepared to

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accept the statement that he did excellent work in Bombay, that that Government proposed to continue the appointment for another three years on Rs. 1,200—50—1,500 but that he refused to accept the appointment on terms offered to him. And yet what happens here? The Surgeon-General's recommendation was accepted and Lieutenant-Colonel Dyer was appointed for a period of one year. He joined the appointment on the 17th July but on the 14th March next he disappeared. Very good he disappeared. But I do not know what has happened in order to make the Surgeon-General and the Minister realize that this man's services were so essential that they must pay him a higher salary than he was paid before? This officer is intended to be a sort of Personal Assistant to the Superintendent of the General Hospital. I think there are already three officers in the General Hospital who are paid allowances for the extra work of supervision. Paragraph 3 of the note says:—

'In the circumstances stated in paragraph 2 above, it is considered necessary to renew the appointment of the Lay Secretary. One of the reasons which led to the resignation of Lieut.-Colonel Dyer was inadequate pay. The Surgeon-General has suggested that Lieut.-Colonel Dyer who has gone to England, might be reappointed as Lay Secretary. It is proposed to offer him a pay of Rs. 1,050 per mensem with a house rent allowance of Rs. 100 per mensem. . . . If he accepts the offer he will be appointed for a period of two years in the first instance.'

That is the humble position in which the Madras Government place themselves, as if he is the only officer available who could effect any economy in the administration of the hospitals. On the other hand we would have been very much enlightened if the Minister had circulated to us a note showing how expenditure is being incurred in many of these hospitals, how in the General Hospital or in any other hospital in the city there have been leakages, there have been frauds and so on, and how the leakages should be stopped and irregularities set right. We would have been very much delighted if we had some data from which to infer that the services of this officer will be necessary. The note says: 'If he accepts the offer he would he appointed for a period of two years in the first instance. If he rejects the offer, another suitable person will be selected if possible on a lesser rate of pay.' Has any case been made out for the appointment of this officer? If you say that the present administration of the hospitals is not efficient, if you think there has been extravagance in expenditure, it is a very sad comment on the ability of the high officers who have been superintendents of the hospitals and their assistants who have been managing the institutions. I will not be a party to such a censure or criticism. I submit to this House that the services of this gentleman are not at all required. It savours of jobbery. There is no real necessity for the appointment of the officer to carry out economies in the administration of the hospitals. I say he is not a Medical Officer, he is not an I.M.S. Officer. We are not enlightened here as to what he is. But from the nature of the work that he is expected to do, namely, the reduction of expenditure on the consumption of water and electricity, the opening of a central laundry, the opening of a dairy farm, the increasing of hospital receipts

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from patients, the debiting of the cost of certain articles supplied to hospitals to the hospital accounts, we cannot say whether he is a Medical Officer or not. This is the kind of work which this officer is expected to do. I am sure that the House will be at one with me in thinking that the services of such an officer are unnecessary and uncalled for. This is not a matter on which we should vote on party lines. I will suggest to the Hon. Minister that this grant might be withdrawn or postponed for the time being."

* The Hon. the PRESIDENT:—" Both the cut motions are for the discussion of the House."

* Mr. K. KOTI REDDI:—" I do not think I need move my cut motion. Sir, I also feel like Sir Patro. I believe, Sir, there is necessity for effecting considerable economies in many of the hospitals in this Presidency. But in what way that should be done I do not think it is necessary for me to discuss here. I strongly believe there is a considerable possibility of effecting economies in expenditure in many of these hospitals. But the way suggested by the Hon. Minister seems to exceed the limits. There is no necessity to go to England to import this officer. The Government have already spent considerable sums on him. Fortunately for us he has resigned before his term of office is over. We need not run after him. Any officer with some administrative experience who need not be a medical man is quite enough for this purpose. I should say that on general principle it is not good to appoint retired men. For generally it leads to corruption. The Government have not much control over him, for he does not look forward to any preferment from Government in the usual course of service. It may be that we are getting good men. But on the whole it is better to appoint men who are on active service and who look to Government for future preferments in service for excellent work done by them. I think if we put one of our deputy collectors, active men in service, on this work it will prove quite satisfactory. The salary you will have to pay 3-
will be considerably less if you appoint a Deputy Collector or somebody P
else. In the attempt to try to effect some economies in expenditure, you will increase your expenditure if you pay high salaries. I believe it is necessary for some officer to look into the barely administrative side of the matter with a view to effect retrenchment in expenditure. Even for the purpose of doing that, you should not appoint highly salaried people. Generally most of such work is done by clerks ultimately. I am not very keen that the officer to be appointed must be a Deputy Collector. You can appoint a man with some administrative experience and who is looking forward to promotions in future. I am of opinion that a man in active service will be a proper person for appointment to a post like this. It is unnecessary to run after the officer who has been mentioned in the note."

* Rao Sahib V. I. MUNISWAMI PILLAI:—" Sir, I have given notice of a token cut motion which is as follows:—

'*To reduce the allotment of Rs.* 100 *by Re.* 1.'

[Mr. V. I. Muniswami Pillai] [27th August 1936

"My object is to suggest the appointment of a local man on a smaller salary. Reading from the notes presented to this House I find that an officer is necessary to find out whether the patients get the correct quantity of diet. Those of us who are moving with poor classes feel it necessary that the time has come when there must be an officer who could check irregularities in the hospitals. Though the Government are doling out large amounts of money for poor classes in the hospitals, they do not still get the correct diet and the quantity that is prescribed. Reading through the notes we feel that a case has been made out for the appointment of an officer. As has already been pointed out by previous speakers, I do not think that in these days of depression an officer on a salary of Rs. 1,200 is required for a job of this nature. The Government may advance the argument that they must appoint a man of status and that he should be given high salary so that he may effectively supervise. I am not satisfied that the appointment of an officer on that salary is necessary. I would request the Government to see their way to appoint a man on a lower salary. As has been already pointed out by Sir Patro, the accounts of the biggest companies are being audited efficiently by people who are drawing very low salaries of Rs. 100 or 200. I do not think it is necessary to appoint an officer on a salary of Rs. 1,200."

* Mr. K. A. NACHIYAPPA GOUNDER :—" Sir, I do not want to take up much of the time of the House. I wish to deal only with one or two points. From the note I find that there is a proposal to renew the appointment of the Lay Secretary. The Government do not seem to have bestowed any consideration on the question of appointing a local man; they seem to have an eye on a particular gentleman for this appointment. I would ask the Hon. Minister whether the Government did at any time consider the question of appointing a man from the local services. They seem to think that a particular individual should come all the way from England to take up this job. He has resigned the job before and gone back to England. They are now asking him to come back on a higher remuneration. Supposing he resigns again and demands much higher rate, then there will be an end to it. The Hon. Minister should consider the question whether this work could not be lone by any officer now under our employ.

"Some of the previous speakers stated that a Deputy Collector may be appointed for this purpose. An officer belonging to another department will not be able to know the intricacies of this department. If you entrust this work to a medical man and ask him to tackle this problem, that will be the correct method. He will be able to know the intricacies of this department and will find it easy to tackle the problem more efficiently than an outsider who is new to this department.

"In paragraph 2 of the note I find that the Government are also looking into the possibilities of increasing hospital receipts from patients. There could have been such an examination some time back when the Lay Secretary was working at it and I do not know whether, after such an examination, they have found out any possibilities of increasing the hospital receipts from patients. If the Government are going

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to levy some fees to be collected from all patients coming to public hospitals, it will work a great hardship on poor people; the result will be, people will not be able to derive any benefit from these institutions. I want to know from the Hon. Minister whether they are going to take any active steps for the collection of higher fees from patients. It will not do good to the public; it will put the public to great hardship. I should like to have information on these points."

* Diwan Bahadur C. NATESA MUDALIYAR:—" Mr. President, Sir, if I remember right, this question of appointing an independent officer to supervise the working of the various hospitals is not a new one. This suggestion was made even during the time of the Raja of Panagal. There were complaints about various hospitals, that the patients are not treated well, that the patients are not dieted well, that the diet of the patients is not sufficient. Of course I do not agree with all the complaints because I am a medical man myself; medical men are in charge of these hospitals and generally medical men will never err. Anyhow, there were complaints and the late Raja of Panagal was thinking of appointing an inspector of hospitals. The Government now think that Lay Secretary should be appointed. I agree with all what Sir Patro said. But Hon. members have made complaints in this House itself; they said that all is not well in the General Hospital. How are we to rectify matters? Let there be a man to see whether the patients are getting diets properly; this is a most important question. Let an officer be appointed, and let him be the Secretary to the Surgeon-General or to the Hon. Minister. Let there be a man who will see that diet is given properly to patients, and that the diet given is good, and the milk that is given is good, and not mixed with water. All these things should e looked into in the interest of the poor patients for whom Sir Patro s feeling so much. Improving the finances by appointing this officer oes not mean getting more money from the poor, but it is getting ioney from the rich people who may get the benefits of the hospital ithout paying anything for it. If every rich man that comes to the ospital pays some fees, more convenience can be given to the poor atients. We can treat more poor patients; we must have dhoby-hanas; this is a most important thing for a hospital. We were put) much difficulties for want of a dhoby-khana for the Victoria Gosha Iospital. At present it may be that the hospitals are not getting pure ilk; the question is how to get good milk. It may be necessary to ave a dairy farm or form a Co-operative Society, have enough super-ision to have a supply of good milk. These are the things which one ian separately appointed will have to look into; and not the medical ıan who is struggling with the patients. Let there be a man who is ot concerned with the regular work of the hospital; let him be inde-endent of the hospital work; let him rectify these things. It is enough f a person on Rs. 500 or 1,000 is appointed for this purpose. But let im be a very capable man; let him be an independent medical man, who nderstands these things, or a lay man, who can discharge his duties ndependently without caring for the frowns or favours of the people oncerned in the hospital. I strongly support the appointment of a

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gentleman who will be able to do his work properly. Sir Patro wants and other hon. members want that there should be economy; so, appoint a man on lesser pay if a capable man is available.

"There are many more points to be raised. I do not want to take up much of the time of the House. I feel it is very necessary to have dhoby-khanas and dairy farms for hospitals. I hope the Hon. Minister will take into consideration what Hon. Members have said here and see that economy with efficiency is effected. At present the medical officers in charge of the hospitals cannot bestow much attention to these points; they must confine themselves only to their medical work, because they have got very responsible work to do. With these words I support the motion moved by the Hon. Minister."

* Dr. P. SUBBARAYAN:—"Sir, I should like to add my small voice to that of my hon. friend, Sir Parasuram. I hope the Government will take steps to advertise for the appointment, to call for qualified people and get a man on lesser pay, if possible, and not to give it to any particular individual. I suppose all this time hospitals have been working without a Lay Secretary; I think it will not be extremely difficult for the Superintendent of the hospital to carry on the work which has been carried on all these years. But if the Government think that there is necessity to appoint a Lay Secretary, I hope they will do it by advertisement and not appoint any particular individual."

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, I am glad that most of the hon. members, who have spoken on this motion, have not shared with Hon. Sir Patro, the extreme view that there was no need for the examination of the non-technical administration of the hospitals in Madras. He alone went to the extent of saying that such examination was unnecessary and that the appointment of an officer for that purpose was a piece of extravagance on the part of the Government. My hon. friends, Koti Reddi and Natesa Mudaliyar and several others have pointed out the need for such examination, and the consequent necessity for the appointment of an officer for that purpose. I must also say that my hon. friend has been very unkind in characterising the appointment of Lieutenant-Colonel H. G. Dyer, as a piece of jobbery. Knowing, as I do, what a responsible gentleman Sir Patro is, and in view of the great respect that I have for his age and experience, I am not prepared to believe that he meant all that he said. Lieutenant-Colonel Dyer, I may point out was never in service in the Madras Presidency; he had no godfather here to back him up. It was the Retrenchment Committee that wa investigating the general question as to how best expenditure in thi Presidency can be reduced, that suggested the examination of the nor technical organisation of the hospitals in the city of Madras parti cularly.

"The Government accepted the proposal of the Retrenchment Con mittee, and they wanted a man, who was by his previous experience an qualifications, suitable for this kind of work. When they were in searc of a person like that, they came to know of this gentleman who wa [illegible] in exactly similar work in the Presidency of Bombay, whe

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his work met with a considerable amount of success. My hon. friend Sir Patro anticipated that I would say this, and stated that he was not going to accept my word, but would ask me to place before him all the materials that we had gathered from the Bombay Government for this purpose. I do not think, Sir, that when he was in charge of this portfolio, he was offering proof by detailed facts and figures of all his statements, with a view to remove unfounded distrust. Well, Sir, I have got the statement of responsible people who are competent to speak in this matter, to the effect that this officer had done very good work in the Presidency of Bombay, and we accepted and rightly accepted that statement. And if he had effected considerable savings in that Presidency, there is no reason why his work in this province should not meet with similar success. It was on this account, and not because he was an European or belonged to any particular nationality, that he was appointed. I may tell my hon. Friend, Mr. Premayya, or the other members who said that it was because he was an European that he was appointed, that he was not chosen on that account. This is not an appointment which is reserved or ear-marked for an European. Because we came across a man who was suitable for the work, the Government appointed him. This question went up before the Finance Committee more than once; and the appointment was accepted by the Committee. I do not think, under these circumstances, that my hon. Friend, Sir Patro, was justified in characterising this appointment as a jobbery.

" As regards the nature of the officer that is required for this particular kind of work, I am in entire agreement with Dr. Natesa Mudaliyar and Mr. Koti Reddi and some other hon. Members when they said that a medical man is not the most suitable for this kind of work. It is a non-technical man that would bring an impartial and unbiassed mind to bear on the question of reducing expenditure in hospitals. And if it is not this particular gentleman, the officer must be some one who is unconnected with the medical service. A medical man will be in a somewhat embarrassing position; though he will in no sense be subordinate to the medical officers in the hospital, he will have to act in consultation with them and may sometimes come into conflict with officers of a grade senior to himself. I should therefore think that my friends Messrs. Natesa Mudaliyar and Koti Reddi are quite justified in saying that the person best fitted for this kind of work is a non-technical man.

" With regard to the need for an officer of this kind, my hon. Friend Mr. Koti Reddi said that there was a great deal that can be achieved by way of economy in the hospitals of Madras. My hon. Friend Sir Patro asked: ' are there not other hospitals in the City of Madras? Why confine your attention to the General Hospital alone? ' Sir, the investigation that was made by the Lay Secretary revealed that there was much greater extravagance in the General Hospital than in any other hospital in the City of Madras; and naturally, the Government thought that the attention of the Lay Secretary, whom they proposed to appoint, must first be directed towards effecting savings in the General Hospital. That is the reason why the General Hospital has been chosen now in

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preference to the other hospitals in the City. I may say that even the mufassal hospitals will come under his examination in due course; and therefore there is no substance in the argument of my hon. Friend that if there was need for economy in the General Hospital, there was an equal need for economy in other hospitals. We started with that institution, because as the note says, the number of patients dealt with is equal to that of the largest hospital in Great Britain, i.e., the London hospital, with expenditure on a somewhat similar scale.

"My hon. Friend Mr. Premayya asked: "What was this gentleman able to accomplish during the time he was Lay Secretary? Unfortunately he was not able to remain here for the full period of one year for which his services were first engaged; he was dissatisfied with the pay given to him, and for that reason, as well as for other reasons also, he resigned his post, some four months before the period of his contract expired. During this period, we cannot possibly expect an officer, however experienced he may be in this kind of work, to accomplish anything very spectacular. He did investigate the state of expenditure in the General Hospital, and he did make general recommendations. My hon. Friend Sir Patro rediculed those recommendations, especially with reference to the general terms in which those recommendations have been made. I may say, that what he has seen of this officer's report is only an extract, a very brief extract from the recommendations that he has made. If my hon. Friend would have the patience to go through that report in full, it will be made available to him; and he will find that the recommendations which the Lay Secretary has made, are certainly very valuable, and if implemented and carried out, will result in very substantial economies. The object of appointing this Lay Secretary in the future is not merely to make an investigation as to the lines of economy, but also to carry out the recommendations that have been already made, and also to be, in the future, in charge of the non-technical administration of the General Hospital itself. However much my friend Sir Patro may say that the Superintendent himself will be good enough to do both the non-technical and the technical portion of the General Hospital work, all expert opinion is to the effect that it is impossible for the Superintendent to efficiently manage the non-technical portion of the work of the Hospital without the help of an officer of this kind. My hon. friends will remember that the work of this Lay Secretary is not going to be confined to mere investigation and the making of recommendations, but that it will be his duty to be in charge hereafter of the non-technical portion of the administration of the General Hospital."

Mr. C. Ramalinga Reddi:—"May I ask whether there is any likelihood of there being a conflict between him and the medical staff in the administration, and whether the patients will be faring worse off under this new diarchy that my hon. friend is going to introduce?"

*The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"I do not anticipate any conflict between this and the other officers with regard to the technical portion of the work. This officer's management will have nothing to do with that. He will only investigate and examine

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and be in charge of the non-technical portion. He will, for instance, prescribe the particular kind of cloth, bed cloth, or a particular kind of thermometer that is to be used; and even then he will always do that in consultation with the Surgeon-General or the Superintendent or whoever it may be, that will be competent to give advice in such matters."

Mr. C. Ramalinga Reddi:—" May I ask whether such things will come under technical or non-technical arrangements, and where the judgment will come from with reference to such matters? "

* The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" I do think that my hon. Friend is himself in a position to answer that question as well as myself. The need for a judgment from the Government on such matters has not arisen; when it does arise, he may trust to the good sense of the Government to give a competent opinion.

" The need for an officer, who will be in charge of the non-technical portion of the hospital work, has been recognized, and I think that the earlier such an appointment is made, the better will it be in the interests of the better administration of these hospitals. The earlier the appointment of the lay Secretary, the greater will be the amount of money saved. Sir, I do hope that in spite of the various arguments of Sir Patro, the House will agree with me in thinking that there is need for such an officer.

" As regards the person, I have said already that we have in this Colonel Dyer, one who has done this kind of work already, and with a fair amount of success ; and when he is available, we should not mind a small extra cost that is necessarily involved in appointing an experienced officer of this kind. But we are not yet sure that he will accept the office for the salary that we propose to pay him. If, however, we have to appoint another officer, all the observations made by hon. Members of this House will certainly be borne in mind. I may also add that the appointment is going to be confined, in the first instance, to two years, and then after the two years' period is over, the whole position will be again reviewed by the Government, and they will come to a further decision as to the continuance of this officer, and as regards the question as to what kind of man would be best suited for the work which the lay Secretary is now asked to do. I would therefore request the hon. Members of this House to be pleased to accept the motion that I have moved."

Mr. G. R. Premayya:—" The answer given by the Hon. Minister did not convince me. I said I would prefer to have an Indian to a European; that does not mean that I dislike a European; any retired Judge or Sub-Judge would be good enough for doing this kind of work. In that sense only I said I would prefer an Indian. I therefore withdraw the amendment that I moved."

The cut motion was, by leave, withdrawn.

The cut motion of Rao Sahib V. I. Muniswami Pillai was also, by leave, withdrawn.

Sir A. P. Patro:—" I press my amendment."

* The Hon. the President:—" I will put the motion to the vote of the House.

[The President] [27th August 1936

" The question is

' *that the allotment of Rs.* 100 *under Grant XIX—Medical—Reserved and Transferred be omitted* '."

The motion was put and declared lost. Sir A. P. Patro demanded a poll, and it was taken with the following result:—

Ayes.

1 Rao Bahadur Sir A. P. Patro.
2 Dr. P. Subbarayan.
3 Diwan Bahadur T. A. Ramalingam Chettiyar.
4 Mr. T. C. Srinivasa Ayyangar.
5 " Abdul Hameed Khan.
6 " A. B. Shetty.
7 Rao Bahadur P. C. Muthu Chettiyar.
8 Rao Sahib A. S. Alagannan Chettiyar.
9 Mr. M. A. Manikkavelu Nayakar.
10 Mr. A. M. Ahmed Meeran.
11 ,, A. Pl. N. V. Nadimuthu Pillai.
12 ,, P. Peddi Raju.
13 " K. P. Raman Menon.
14 " C. R. Parthasarathi Ayyangar.
15 " K. Koti Reddi.
16 " G. Rameswara Rao.
17 " U. C. Subrahmanya Bhatt.
18 " C. R. Reddi.
19 Mrs. Rukmani Lakshmipathi.
20 Mr. C. Obi Reddi.

Noes.

1 The Hon. Rao Bahadur A. T. Pannirselvam.
2 " Sir Charles Souter.
3 " Sir Geoffrey Bracken.
4 " C. F. Brackenbury.
5 " Diwan Bahadur S. Kumaraswami Reddiyar.
6 " Mr. P. T. Rajan.
7 " the Raja of Bobbili.
8 Diwan Bahadur C. Natesa Mudaliyar.
9 Mrs. K. Alamelumangathayaramma.
10 Mr. W. Scott Brown.
11 " H. R. Uzielli.
12 " C. E. Jones.
13 " H. M. Hood.
14 " R. Madanagopala Nayudu.
15 " T. B. Russell.
16 " T. Sundara Rao Nayudu.
17 Khan Sahib Syed Tajuddin Sahib Bahadur.
18 Mr. I. C. Iswaran Pillai.
19 Diwan Bahadur R. Srinivasan.
20 ,, A. Appadurai Pillai.
21 Mr. C. D. Nayagam.
22 " M. Devadasan.
23 " F. Birley.
24 " G. H. Hodgson.
25 " S. M. Laljan.
26 " P. C. Moses.
27 " P. V. Rajagopala Pillai.
28 " V. G. Vasudeva Pillai.
29 " G. F. F. Foulkes.
30 " G. Simhachalam.
31 " W. P. A. Soundarapandyan.
32 Rao Sahib V. Dharmalingam Pillai.
33 Rao Bahadur D. Krishnamurthi.
34 Diwan Bahadur A. M. M. Murugappa Chettiyar.
35 The Kumararaja of Venkatagiri.
36 Khan Bahadur Mahmud Schamna[illegible] Sahib Bahadur.
37 Mr. A. V. Bhanoji Rao.
38 " Mahboob Ali Baig.
39 The Zamindar of Tekkali (Senior
40 Mr. G. Sriramulu.
41 Rao Sahib D. V. Narasimhaswam
42 ,, Pandit Ganala Ram[illegible] murti.
43 Mr. M. B. Rangaswami Reddi.
44 " T. S. Ramaswami Ayyar.
45 " G. R. Premayya.
46 " M. S. Sreshta.
47 " J. A. Davis.
48 Rao Sahib V. I. Muniswami Pill[illegible]
49 Mr. A. Ramakrishna Reddi.
50 ,, H. M. Jagannatham.
51 ,, T. Narasa Reddi.
52 ,, P. V. Krishnayya Choudari.
53 Diwan Bahadur S. Ellappa Che[illegible] yar.
54 Swami A. S. Sahajanandam.
55 Mr. C. Basu Dev.
56 Khan Bahadur P. Khalif-nl-Sahib Bahadur.
57 Mr. Y. Mahabaliswarappa.
58 " I. Sandana Gounder.
59 Diwan Bahadur M. Gopalasw[illegible] Mudaliyar.
60 Rao Bahadur Subadar-Major S. Nanjappa Bahadur.

Ayes 20. *Noes* 60.

The *motion* was lost.

* The Hon. the PRESIDENT :—" I will put the Demand to the [illegible] of the House.

"The question is

'*that Government be granted a further sum not exceeding Rs.* 100 *under Grant XIX—Medical—Reserved and Transferred*'."

The Demand was put and carried and the Grant was made.

(5) GRANT XX—PUBLIC HEALTH—TRANSFERRED

* The Hon. the RAJA OF BOBBILI:—"Sir, on the recommendation of His Excellency the Governor, I beg to move –

'*that Government be granted a further sum not exceeding Rs.* 200 *under Grant XX—Public Health—Transferred.*'

"The Explanatory Note [a] shows that this Demand refers to two water-supply schemes—one is the Vayalpad Panchayat Board water-supply scheme in the Chittoor district, where the need for protected water-supply has been felt for a good many years; and then the next scheme is a comprehensive scheme for the improvement of water-supply in Vizagapatam. It has been found during the last two years that owing to the increasing requirements on account of the Andhra University, the original scheme of water-supply is inadequate and that there is not sufficient supply of water for the population. As a matter of fact, for the last two years, great inconvenience has been felt owing to the failure of the rains. It is hoped that when this scheme is completed, people of this town will be free from any anxiety in future as to an adequate supply of water. In both these cases, the municipality as well as the panchayat board have agreed to bear half the cost of the schemes. It is proposed that Government will contribute the other half. The expenditure during the current year is proposed to be met by reappropriation and I am therefore moving a token demand for Rs. 200, of which Rs. 100 refers to the Vayalpad water-supply scheme and the other Rs. 100 to the Vizagapatam water-supply improvement scheme. The total estimated cost in respect of the Vayalpad scheme is Rs. 41,000 to install and Rs. 1,500 per annum to maintain and the panchayat board has agreed to finance the scheme on the usual half-grant basis, with the help of a contribution of Rs. 7,500 from the Chittoor District Board. As regards the Vizagapatam scheme, the total cost comes to Rs. 6,14,000 to install and Rs. 13,450 annually to maintain. In this Demand, although the House will be committed to that extent ultimately, the present proposal amounts to only Rs. 35,000 which is the cost of acquisition including the provision for contingencies, etc. The Government's share of the contribution towards the cost comes to Rs. 17,500. I therefore commend this proposal for the acceptance of the House."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I move—

'*that the allotment of Rs.* 200 *be reduced by Re.* 1'

in order to point out the injustice of demanding from the panchayat boards half the expenditure for water-supply schemes. Sir, many a time I have pleaded that to require of the panchayat boards, just as they do in the case of big towns, half the grant for purposes of under-

[a] Printed as Appendix XIV on page 146 infra.

[Mr. K. Koti Reddi] [27th August 1936

taking schemes for water-supply, is very unfair. You know that a major portion or almost all the portion of the public revenues of this Presidency come from rural areas. After all, what is the amount that is contributed by the towns towards the revenues of the province? It seems easy to demand from the rural population half the grant but it is unfair to require half the grant from the panchayats. Of course Government say that they would contribute half the share for these water-supply schemes; but where is it to come from? What is the proportion that the towns make and what is the proportion that the villagers pay towards the public revenues? You take away from the villager what all he has got and ask him to contribute half the cost of the scheme. It looks unfair to demand it from him. Many a time I have pointed out that it is unfair and not proper. Many a panchayat board is unable to meet half the cost, though the Government promise that they would meet the other half. They always continue the same policy of demanding from the villagers and the towns people the same half-grant. When they are spending 40, 50 or even 60 lakhs for towns, how much proportion of it they are going to spend for the villages? Yet, you are asking the villagers to bear half the grant, not knowing where is it to come from. You spend most of the amount on towns but the villages do not get anything and in spite of the boasted fervour for rural reconstruction, you still go on demanding half the grant for water-supply from rural areas. That is not fair."

Mr. T. S. Ramaswami Ayyar:—"Mr. President, Sir, I desire to echo the sentiments expressed by my hon. Friend from Cuddapah. For a long time past the members of this House have complained about the hardship caused to the villagers by the Government expecting the villagers to contribute half the cost of their expenditure on such schemes. Now, when so much is talked of rural reconstruction and giving aid to the villagers, I do not know why Government should insist on its pound of flesh. After all if you are going to give clean and neat life to the villagers, water-supply is the greatest thing that you should work for. We are spending lots of money on other amenities—it was only this morning that we agreed to a grant of 75 lakhs for augmenting the supply of electricity in this province—and if that is the case I do not see why the Government should be niggardly in the matter of the grant that is given for water-supply to villages. You know that when an epidemic starts in a village, it is not possible for the Government to give succour to the people. In big cities and big towns, of course, it is possible for the Government or for other authorities to render help to the inhabitants of those places in such times. For example, I know of instances where in villages, if cholera breaks out, it takes some time for the authorities themselves to be apprised of the fact. For some time, the villagers themselves do not complain and if the epidemic assumes large proportions then only the district authorities are apprised of the fact and before help is rendered to the villagers, many lives are lost. In such conditions, are you justified in asking the villagers to contribute half the cost of the expenditure for giving them water-supply? If anything should be given free to the villagers, I think water is the only thing that ... Sir, they do get in plenty and they do not

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want electric lights and fans for which we are provided. But they badly need water. So, do not tell them, give your half share and we will give you the other half. In many cases, village panchayats are not able to give the half that the Government demands. After all, what are the assets of the village panchayats, and what are the resources from which they can find this money? It may be said that they get fishery rates and that in some other cases they can levy local taxes. You know that in poverty-stricken villages, it is not possible for the people to contribute anything towards these taxes. It is a great thing if they keep their places clean. They are not in a position to contribute money for these purposes. I therefore strongly plead for a change of policy on the part of the Government with regard to these grants, especially in the matter of grant for water-supply. In the matter of roads—even there I think Government should be more reasonable—it may be said that the villager can get on even with bad roads. Can it be said that one can get on with bad water? I therefore plead that Government should change its angle of vision at least with regard to water-supply to rural areas."

* Mr. G. Rameswara Rao:—" Mr. President, Sir, I rise to oppose this grant on the ground that in the name of supplementary grants, the Government push on their pet schemes ignoring matters of great urgency. I am quite aware that the Hon. Minister may say that there are difficulties in the matter of these grants, but I can assure him that there are places which require immediate attention in the matter of water-supply. As an instance, I may mention the case of Cuddapah which has not sufficient supply of water for the last so many years. I am sure if Mr. Javad Hussain were here he would bear me out when I say that in Cuddapah there had been no rain for a number of years past and that he had to keep the Cuddapah-Kurnool canal running all the year round. Mr. President, Sir, you also know the fact that canal water is not the best water for purposes of drinking. There, the people have only to depend upon that water. In the case of Penukonda also, the people have been suffering for the last ten years for want of water. The President of the Anantapur District Board may probably be able to say that there are so many other panchayat boards within his area such as Guntakal, Dharmavaram, etc., which have been suffering a good deal for want of water. Therefore, Sir, though I have no serious objection to giving water-supply to the needy elsewhere, as I sympathize with waterless man everywhere, I would emphatically urge on the Government the necessity of undertaking special measures for expediting water-supply to other parts of the Presidency also."

Mr. C. Ramalinga Reddi:—" Mr. President, Sir, I do not know whether we can gain much by discussing large questions of general policy on token motions. But, however, since the elections are looming large, it is but rig nt parties should state their policies. I a on. Friend, Mr. Koti Reddi, in demandi e agricultural population, both in rega under which they are now suffering and

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10 "There may be an increase of these facilities without making ther
a. pay any additional rates. This can be achieved in two ways; either m hon. Friend can reduce the proportion of the cost that the villag panchayats have to bear from half to one-fourth. But that is after a a negative good. But the positively right way to deal with this probler is by leaving with the villages a village fund made up from year t year of a certain percentage of the revenue collections. If my Hor Friend, the Revenue Member, will but agree on some such principle a this, it will mean that each village will have a fund of its own whic will be growing from year to year from which the most urgent neces sities of village life could be met.

"We are talking a good deal about rural reconstruction and eve since Lord Linlithgow presented us with stud bulls our rural politic are becoming more bullish instead of being bearish as under Lor Willingdon. But all these do not touch the question of finance. Ar you going to expect these villagers to tax themselves for every ne good that they must enjoy or are you going to see how much you ca tread upon their patience? I think you should set apart a certai proportion of what you get from them as a fund for their own in provement. In business firms you set apart a certain percentage c the profits to meet charges of deterioration. In every village, th process of deterioration, in lands, in channels and in their other wate supplies, is going on and yet from out of the collections, you will nc set apart even a little bit, though in the case of an industrial concern it is the first principle of prudence that you should set it apart. want my Hon. Friend to consider this case. I gathered from a some what hasty understanding, not a perfect understanding, of what Hi Excellency said this morning that this question of revenue policy i being considered. A mere negative policy will not do any good. Th thing that we have been asking for is to make them financiall independent.

"I would like to say something as regards Vizagapatam which wa adverted to by my Hon. Friend, the Raja of Bobbili. He said that th Andhra University was a contributory cause to the water scarcity i Vizagapatam. No, Sir. We are dependent upon our own tube well We are far too prudent to be at the mercy of my friend, Mr. Bhanoj Rao. Even the Medical College has a tube well of its own. I mus say that the water scarcity in Vizagapatam is something which I hav not come across anywhere in the world. I am not blaming th municipality. I do not know how it is that water and Vizagapata refuse to cultivate harmonious relationship. In my morning wal I have seen 50 or 60 persons at a public tap quarrelling with on another as to who shall be the first to help himself with water and t sight is heart-rending. I think the Government ought to take large view of their responsibility and, if need be, tax the people su ciently to raise enough funds for solving this problem of water-suppl I would request them to take a long view of the problem and not to satisfied with present requirements but to think of the requirements a quarter of a century hence. Unless something is done, the hea of Vizagapatam will suffer and incidentally the institutions which

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located there will also suffer. People come to visit the Andhra University and to do some good, but they are punched on the ears and nose with the full force of the municipality and they go away with a kind of disillusionment about the location of the University. Nature is so very profuse in her gifts; there are very beautiful sceneries; but it is only in water that want is felt. However, I do hope that my hon. Friend will not be satisfied with the vote for the acquisition of the sites but that he will use all the driving force that he possesses to get the department to undertake this problem and solve it without much loss of time."

* The Hon. the RAJA OF BOBBILI:—"It has been a very interesting discussion that we have had and it has made one thing clear, namely, that there is agreement on all sides of the House on the question of giving preference to schemes of water-supply over all other schemes. I am glad to say that the Government are in entire agreement with this view. One of the questions that have been raised in the course of the debate is the grant as between panchayat boards and municipalities. I think it is my hon. Friend from Cuddapah, Mr. Koti Reddi, who stated that it is the rural areas that contribute to the taxes but the Government spend the amounts in the cities. It may not be possible, I fear, to substantiate that statement with figures; and I believe I am right in saying that the urban areas also make their contribution towards the revenues of the Government, both Provincial and Central. Before proceeding further, I think I should explain the policy of the Government. I have taken the opportunity during the budget discussions to state that Government have been giviug preference to water-supply schemes although we have as a working basis ruled that the local body concerned shall contribute one-half of the cost of the scheme. These rules are being administered with a great deal of elasticity and in the case of panchayat boards, specially in the Ceded districts, we have been giving more than the 50 per cent grant. There are seven or eight cases of 75 per cent grants and there is one case of full grant. I wish the Government were in a position to meet the entire cost of the schemes; but hon. Members are aware that the funds at the disposal of the Government are limited and in order to lay down some working basis these rules have been framed and it is but right that when funds are limited the Government should first help those who are prepared to help themselves. Every time these schemes come up, requests are made to increase the grant. The financial position of the panchayat board or the municipality is carefully examined by the Local Self-Government Department and the Finance Department and if it is found on examination that the finances of the board or municipality would not permit of paying one-half of the cost, the Government have been invariably giving 75 per cent grant. I am glad to say that no scheme has been turned down on the question of grant.

"My hon. Friend, Mr. Rameswara Rao, has put forward another argument, that he is opposed to this grant because some of the panchayat boards of Anantapur have not been satisfied with reference to the schemes they put forward. The Government have no doubt

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received a large number of petitions every year especially during the dry months for schemes. But the Government cannot themselves undertake these works or proceed in the matter until the plans and estimates for the schemes have been received.

"My hon. Friend, Mr. C. R. Reddi, said that now that we were on the eve of a general election it seemed opportune to express our views on these problems. As far as the question of water-supply is concerned, I may say that it is neither a political nor a party question. It is the duty of this Government as well as of its successors to attend to this primary need of the people. If you are to adequately handle this big problem, it will not be possible to finance these schemes on a sufficiently large scale at the same time conforming to a time table. Under the Finance Rules, it is not possible for the Government to devote any part of their loan funds for this purpose. Some of these restrictions being relaxed with the new constitution, the future Government will be free in the field.

"My hon. Friend, Mr. C. R. Reddi, has also stated that it would not be fair to expect people to tax themselves for any public amenity that they require. I find in all highly developed countries no schemes of this kind are financed by borrowing. Unless some such policy is followed, it will not be possible to show any material progress satisfactory to the people.

5 "As a matter of fact, this question of the rural water-supply has been considered as a general question and it has been found to require roughly nearly $1\frac{1}{2}$ to 2 crores of rupees. It is difficulties of finance that prevent the Government in not advancing further in that direction. It has also been found that in the case of smalle panchayats it will be more economical and efficient to have join schemes for a number of villages. As I have already explained, al these schemes have been held up on the question of finance and I hop in future it will be possible for Government as in other countries t make available loan funds for this purpose. As regards the Vizaga patam water-supply scheme, there is very little I can add to what m hon. Friend, Mr. C. R. Reddi, has stated as to its necessity. A regards the Andhra University, I may state I am glad the Universit authorities have been very prudent in providing their own wate supply. I take this opportunity of reminding my hon. Friend that the outset the University could not have been able to complete the buildings so rapidly but for the supply of water provided by t municipality. (Mr. C. R. Reddi: 'We have been grateful for it I am already late, Sir, and I do not wish to take up the valuable ti of the House. I hope with these remarks my hon. Friend will withdr his cut motion and allow the main motion to be passed."

Mr. K. KOTI REDDI:—"I withdraw my motion, Sir, though I not satisfied."

The cut motion was by leave withdrawn.

The Demand was put and carried and the Grant was made.

(6) GRANT [a] XXIII—CO-OPERATIVE SOCIETIES—TRANSFERRED.

* The Hon. Mr. P. T. RAJAN :—" On the recommendation of His Excellency the Governor I move—

'*that the Government be granted a further sum not exceeding Rs. 100 under Grant XXIII—Co-operative Societies—Transferred.*'

" This provides for a token grant for the organization of a Provincial Marketing Society. Fruits have been chosen for the purpose of this experiment to begin with. It is not as if that other articles do not require support. But fruits being perishable and the difficulties being greater in this case the Central Society is to provide necessary facilities for marketing these articles. The society is not likely to incur any loss. For the first three years the Government are going to support the society and the expenditure for this year comes to somewhere near 3,200 rupees, i.e., for six months in the current year. It is proposed to introduce the scheme during the current year by moving a demand for a token sum of Rs. 100 under Grant XXIII. The balance amount required in the current year will be met by reappropriation. I hope the House will pass this token grant."

* Mr. G. R. PREMAYYA :—" I beg to move :—

'*to reduce the allotment of Rs. 100 by Re. 1, to elicit further details.*'

" Sir, during budget under the Agricultural Demand I said that the Hon. Minister should be pleased to do something good to the ryots. This is a welcome measure. By this arrangement, Sir, the ryots who own lands where they grow fruits can be greatly helped. The average holding of a ryot is two acres or a bit more than that. Because he has to wait for five or six years to get fruits he has to invest large sums of money over the trees. Generally nowadays when the economic condition of the ryot is very poor, he has to borrow money from the money-lenders and so fruit growers are heavily indebted. By this arrangement, viz., by having a central co-operative provincial society the growers will never be helped unless the money-lenders are fully satisfied. The grower is not an independent ryot at all. He sells his fruit to the agent here in Madras. The agent sells the fruit and returns the money to the grower. After satisfying the creditor the ryot will take whatever is left. So he is not free to export his fruit to Madras City. In the explanatory note I do not find any provision to pay off the loans of the creditors. Unless and until you get rid of the third man or the creditor, it is very much impossible for the Government to help the ryot. Here in the explanatory note it is said that the society is going to help the loan and sale societies. The loan and sale societies are the middle men because they get the fruits from the growers and they sell here. If the central society is going to help the middlemen, viz., the loan and sale societies it is nothing but help to the third person. How are they going to help the grower in the villages? The sale and credit societies are those who get fruits from the growers and so they get the profits. If they get the profits how could the central nominal co-operative society help the grower? So,

[a] For explanatory note, vide Appendix XV at pages 147–148 infra.

[Mr. G. R. Premayya] [27th August 193(

Sir, if this society helps the loans and sale societies, I say the frui(grower will not get the help at all and unless the Government come(to the help of the grower by paying the amount of credit to th(creditors they can never help the growers at all. I move my motion."

* The Hon. the PRESIDENT:—" The House will now adjourn an(meet again at 11 a.m. to-morrow."

VIII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

[a] * 1. *Notification, dated 28th March 1936, regarding limits of th(territorial jurisdictions of the Ganjam and Chicacole District Boards.*

[b] * 2. *G.O. No. 461, Development, dated 21st March 1936, publishing amendments to rules 4 and 7 of the rules issued under section 18 o(the Madras Commercial Crops Markets Act, 1933.*

[c] * 3. *G.O. No. 388, Development, dated 10th March 1936, confirming certain amendments to the rules issued under the Co-operativ(Societies Act, 1932.*

[d] * 4. *G.O. No. 731, Development, dated 8th May 1936, confirming an amendment inserting a new rule XXV-A after rule XXV of the rule(issued under the Co-operative Societies Act, 1932.*

[e] * 5. *List of posts on Rs. 500 per mensem and above created durin(the quarter ending 31st March 1936.*

[f] * 6. *G.O. No. 593, Home, dated 15th May 1936, exempting fro(payment of tax on motor vehicles used by certain staff officers of th(Headquarters, Madras district, Bangalore, when they enter the Pres(dency of Madras on military duty.*

[g] * 7. *G.O. No. 654, Home, dated 20th May 1936, notifying rate (tax on cars used by Pudukkottai Darbar in connexion with visit of H(Highness the Raja of Pudukkottai to Madras and Tirupati in Februa(1936.*

[h] * 8. *Proceedings of the eighth meeting of the Finance Committ(for 1935–36 held on the 10th March 1936.*

[j] * 9. *Notification, dated 30th June 1936, regarding exemption (motor vehicles belonging to the members of the Southern Provin(Mounted Rifles, Auxiliary Force (India), resident in Travancore (the period of their stay in British territory in connexion with their ann(camp at Coimbatore in July 1936.*

[k] * 10. *Notification, dated 7th July 1936, regarding supersessio(the Peddapur Municipal Council for a period of two years.*

[l] * 11. *Notification, dated 14th July 1936, regarding supersessio(the Walajapet Municipal Council for a period of two years.*

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* Sent by post.

[a] Printed as Appendix XVI at pages 149–150 infra.
[b] Printed as Appendix XVII at pages 150–151 infra.
[c] Printed as Appendix XVIII at pages 152–157 infra.
[d] Printed as Appendix XIX at pages 157–158 infra.
[e] Printed as Appendix XX at page 159 infra.
[f] Printed as Appendix XXI at page 160 infra.
[g] Printed as Appendix XXII at page 160 infra.
[h] Printed separately.
[j] Printed as Appendix XXIII at page 160 infra.
[k] ... Appendix XXIV at page 161 infra.

27th August 1936]

[a] * 12. *G.O. No.* 1007, *Revenue, dated* 5*th May* 1936, *confirming amendment to rules issued under the Madras Survey and Boundaries Act VIII of* 1923.

[b] * 13. *G.O. No.* 1388, *Revenue, dated* 29*th June* 1936, *confirming amendments to rules issued under the Madras Survey and Boundaries Act VIII of* 1923.

[c] * 14. *Unofficial Note No.* 3814-*D*/35-3, *dated* 14*th May* 1936, *from the Public Works Department, with reference to the answers given to the supplementary questions to Questions Nos.* 228 *and* 293 *answered at the meetings of the Legislative Council, held on the* 29*th and* 30*th October* 1935, *respectively.*

[d] * 15. *Unofficial Note No.* 1265-*III*/36-2, *dated* 7*th April* 1936, *from the Development Department, with reference to the answer given to Question No.* 981 *at the meeting of the Legislative Council, held on* 18*th March* 1936.

[e] * 16. *G.O. No.* 963, *Development, dated* 15*th June* 1936, *with reference to the answer given to the supplementary question to Question No.* 721 *at the meeting of the Legislative Council, held on* 4*th February* 1936.

[f] * 17. *G.O. No.* 3169, *L.S.G., dated* 20*th July* 1936, *issuing notification regarding alterations in jurisdiction of Anantapur and Cuddapah district boards.*

[g] * 18. *Notification, dated* 31*st July* 1936, *of Public Works Department making amendments to traffic rules on the Tellicherry-Coorg and the Calicut-Chundale-Nilgiri frontier roads.*

[h] * 19. *G.O. No.* 1390, *Revenue, dated* 29*th June* 1936, *passing orders on the scheme report of the Guntur district.*

[j] * 20. *Statement of action taken on a resolution passed by the Council during the Sixth Session* (*August* 1935 *to March* 1936).

[k] * 21. *List of posts on Rs.* 500 *per mensem and above created during the quarter ending* 30*th June* 1936.

[l] * 22. *G.O. No.* 1488, *Revenue, dated* 11*th July* 1936, *passing orders on the Scheme Report of the Kurnool district.*

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

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* Sent by post.

[a] Printed as Appendix XXVI at pages 161–162 infra.
[b] Printed as Appendix XXVII at pages 162–163 infra.
[c] Printed as Appendix XXVIII at pages 163–178 infra.
[d] Printed as Appendix XXIX at pages 178–184 infra.
[e] Printed as Appendix XXX at pages 185–186 infra.
[f] Printed as Appendix XXXI at pages 187–188 infra.
[g] Printed as Appendix XXXII at pages 188–189 infra.
[h] Printed as Appendix XXXIII at pages 189–206 infra.
[j] Printed as Appendix XXXIV at page 206 infra.
[k] Printed as Appendix XXXV at pages 207–208 infra.
[l] Printed as Appendix XXXVI at pages 208–222 infra.

APPENDIX I.

[Vide answer to question No. 11 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 27th August 1936, page 30 supra.]

List showing the representations received from the ryots of Guntur district on the Guntur resettlement scheme report.

Serial number of the representation.	Name of the petitioner.
1	Karumuri Kotireddi and others, Mallayapalem, Guntur taluk.
2	Kanumarlapudi Venkateswara Rao and others, Kanumarlapudi, Vinukonda taluk.
3	Palagiri Lakshmireddi and others, Bollapalle, Vinukonda taluk.
4	Paladugu Lingayya and others, Vaddemgunta, Vinukonda taluk.
5	Jallepalli Ankayya and others, Kondramomtla, Vinukonda taluk.
6	Annapragada Venkatasubba Rao and others, Kothaluru, Vinukonda taluk.
7	Ganginenі Pedaguruswami and others, Nujendla, and fourteen other villages, Vinukonda taluk.
8, 12 to 198 and 203 to 211	*Patibandla Sitharamayya and others of several villages in all the nine taluks of the district (these representations are identical).*
9	Annapragada Venkatasubba Rao and others, Kothaluru, and thirteen other villages, Vinukonda taluk.
10	President, Panchayat Board, Lam, Guntur taluk.
11	President, Panchayat Board, Sangam-Jagarlamudi, Tenali taluk.
12 to 198	Vide after 7.
199	Garnepudi Gopal Rao and others, Garnepudi, Bapatla taluk.
200	Budaraju Vasudevamurti and others, Swarna, Bapatla taluk.
201	Vastreddi Appayya and others, Andukur, Sattenapalle taluk.
202	M.R.Ry. P. V. Krishnayya Choudari Garu, M.L.C.

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APPENDIX II.

[Vide answer to question No. 12 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 27th August 1936, page 30 supra.]

Districts.	Current collections up to the end of June 1936.	Current balance up to the end of June 1936.
	RS.	RS.
Vizagapatam	31,54,262	58,391
Godavari, East	55,51,439	1,06,118
Godavari, West	46,80,084	770
Kistna	43,54,254	48,677
Guntur	61,54,960	1,15,457
Nellore	31,33,639	53,037
Cuddapah	17,96,808	6,895
Anantapur	16,68,239	392
Bellary	22,35,219	17,149
Kurnool	22,40,077	430
Madras	1,33,980	685
Chingleput	25,30,686	38,673
Chittoor	15,27,957	42,067
North Arcot	35,78,546	15,099
South Arcot	52,67,368	1,31,726
Tanjore	81,95,179	6,23,619
Trichinopoly	34,59,914	60,689
Madura	32,88,392	46,757
Ramnad	16,58,842	1,45,647
Tinnevelly	30,29,827	9,958
Coimbatore	34,94,131	1,487
The Nilgiris	1,76,414	643
Salem	30,66,210	11,433
South Kanara	26,56,430	1,27,092
Malabar	44,35,961	74,828
Total ..	8,15,18,818	17,37,719

APPENDIX III.

[Vide answer to question No. 13 asked by Mr. M. S. Sreshta at the meeting of the Legislative Council held on the 27th August 1936, page 31 supra.]

[Letter from H. R. Uzielli, Esq., C.I.E., I.C.S., Secretary to Government, Revenue Department, to M.R.Ry. M. S. Sreshta, M.L.C., Ingledon, Kankanady P.O., Mangalore, dated Fort. St. George, the 25th July 1936, No. 1859-E/36-2.]

[Assessment—Kistbandy—(South Kanara)—Alteration—Your letter, dated 10th April 1936.]

I am directed to state that the present system of collecting the assessment in the South Kanara district in four equal instalments commencing from February was introduced at the last resettlement of

the district, after careful consideration. In the interests both of the Government and the ryot, the collection of land revenue in this district should start in February at least, as first crop paddy is generally harvested in November and December; and the second crop is harvested in March. The Government understand that although in some cases registered pattadars may receive rice instead of paddy as rent from their tenants, in January and February, in other cases the tenants pay the land assessment to the Government on behalf of the registered pattadars, and that in actual practice no appreciable difficulty has been felt by pattadars or tenants in paying one-fourth of the assessment equally in February, March, April and May, according to the existing arrangement. The time for collection of kists depends upon the time of harvests in the district, according to the existing practice in this Presidency. The present system of commencing collection in the South Kanara district in February is in accordance with this practice. The existing system was introduced only in 1935, and the Government consider that it is too early to alter it without giving it a fair trial.

APPENDIX IV.

[Vide answer to question No. 23 asked by Mr. A. M. Ahmed Meeran at the meeting of the Legislative Council held on the 27th August 1936, page 39 supra.]

Statement.

Name of constituency.	Number enrolled.	Parliamentary expectations.
Urban.		
Tinnevelly cum Palamcottah towns ..	20,445	18,339
Rural.		
Tuticorin	65,666	51,816
Koilpatti	69,040	65,895
Sharmadevi	50,581	55,809
[illegible]	41,107	61,[illegible]

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APPENDIX V.

[Vide answer to question No. 28 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 27th August 1936, page 43 supra.]

(1)

Statement showing the number of accidents caused by motor vehicles and the number of casualties in each district during 1934 *and* 1935.

Name of district.	1934.		1935.	
	Number of accidents caused by motor vehicles.	Number of casualties.	Number of accidents caused by motor vehicles.	Number of casualties.
1 Madras city	342	20	329	20
2 Anantapur	6	2	7	1
3 North Arcot	44	10	57	13
4 South Arcot	8	6	15	10
5 Bellary	19	1	20	8
6 Chingleput	84	11	89	21
7 Chittoor	12	4	7	1
8 Coimbatore	135	16	183	21
9 Cuddapah	4	1	3	2
10 Ganjam	13	6	14	7
11 Godavari, East	19	5	14	6
12 Godavari, West	13	1	8	2
13 Guntur	16	3	..	..
14 South Kanara	59	9	75	8
15 Kistna	20	4	10	4
16 Kurnool	7	3	12	3
17 Madura	103	24	143	15
18 Malabar	76	8	72	16
19 Nellore	12	2	15	1
20 The Nilgiris	31	1	23	1
21 Ramnad	34	6	45	15
22 Salem	30	17	29	10
23 Tanjore	32	14	46	6
24 Tinnevelly	26	7	25	12
25 Trichinopoly	30	8	13	6
26 Vizagapatam	32	5	39	8

(2)

Extract from the Legislative Council question No. 260, *dated the 24th October* 1934.

* *Q.*—Mr. M. D. T. RANGANATHA MUDALIYAR: Will the Hon. the Home Member be pleased to state what steps the Government have taken and contemplate taking to prevent and check motor vehicle accidents?

* * * *

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A.—(*a*) (1) A pamphlet on "Road Sense" has recently been published in all the vernaculars and freely distributed amongst children attending elementary schools.

(2) The whole system of traffic control is devised with the object of preventing accidents from motor traffic as far as possible; it is not possible to detail within the limits of a reply to a single question all the various measures taken or to be taken to minimize accidents on the roads.

* * * *

Appendix VI.

Vide answer to question No. 32 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 27th August 1936, page 46 supra.]

Statement of works included in Mr. Vipan's Scheme for which grants have been sanctioned from the Road Development Fund in 1936–37.

District.	Page and serial number in Mr. Vipan's report under bridge scheme.	Particulars of work.	Estimated cost.	Provision made in Civil Budget Estimate for 1936–37.	Grant so far sanctioned for the year.*
			RS.	RS.	RS.
ittoor	69–1	Construction of a bridge across the Sadam river at mile 27/2 and 3 of the road from Punganur to Pulicherla.	65,000 (as given in Mr. Vipan's report).	† 26,000	19,500
uth Kanara ..	111–3	Reconstructing the culvert at mile 12/1 of A-16 Mangalore-Mercara Trunk road.	10,000	10,000	7,500
	112–4	Reconstructing — bridge across Netravati river at mile 42/3 and 4 of Mangalore-Mysore Trunk road No. A-22 near Nidgal.	55,000	55,000	41,250
	112–5	Reconstructing the bridge at mile 16/5 and 6 of the above road at Baddakatte.	35,000	35,000	26,250
	112–6	Reconstructing the bridge across the Bambilla river at mile 22/8 of the above road.	15,000	15,000	11,250
	112–7	Reconstructing the bridge across the Maniballa river at mile 18/2 of the above road.	55,000	55,000	41,250
Nilgiris ..	149–1	Redecking the Kundah bridge.	18,900	18,900	14,175

OTE.—* Represents 75 per cent of the grant provided for the year. The balance will be sanctioned as and when required on application from district boards.

† Represents also the total grant admissible for the work.

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APPENDIX VII.

[Vide answer to question No. 45 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 27th August 1936, page 54 supra.]

(1)

Letter from the Honorary Joint Secretary, The Madras Temperance League, dated 17th December 1935.

I beg to submit herewith on behalf of the Madras Temperance League, a memorandum on the composition and powers of the Licensing Boards and Advisory Committees and request Government to give it favourable consideration.

Memorandum on the constitution and powers of the Excise Licensing Boards and Advisory Committees.

It is presumed that the main object of the Government in constituting the Excise Licensing Boards and Advisory Committees is to give public opinion a voice in determining the extent to which provision should be made for the licit consumption of drinks and to ascertain public opinion on the number and location of drink shops in a particular locality. Judged from these points of view, the Madras Temperance League feels the constitution and powers of these bodies require radical changes in various particulars mentioned below to make them real exponents of public opinion. At present the constitution and powers of these bodies are such that it is difficult to get any shop closed or to change its location unless the official and nominated members agree to such a proposal. Constituted as they are and invested with powers as at present, the public have no confidence in them and it is no wonder some local bodies even refused to elect their representatives to sit on them fully realizing that their voice would be a cry in the wilderness unless it is backed up by the official and nominated members.

2. The Madras Excise Licensing Board consists of 11 members of whom 5 are nominated persons. Out of these five, three are official. With the representative of the licensees there is always a standing majority of nominated and official members and any effort on the part of the elected representatives either to reduce the number of shops or change their location will be of no avail unless the official members also agree to such proposals. It is not known whether the representative of the depressed classes or labouring classes has at any time been elected from amongst existing labour organizations. The Chairman elected will invariably be an official as the nominated members who owe their position to the officials will generally favour the election of an official. As far as the League is aware there has never been a non-official Chairman for the Madras Licensing Board since its inception. The evils of the nomination system have been recognized and the system has been abandoned in most of the bodies which have to exercise real powers. It cannot be that Government provided the nominated element to act

as a check on the exercise of discretion by the elected members. If such a check is considered necessary the League puts in an emphatic demurrer—the rule makes sufficient provision in that the decisions of the Board are subject to the approval of the Commissioner of Excise. Unless it is not possible to arrange for the election of representatives of various interests, there is no valid ground for the perpetuation of the nomination system. The constitution of the Board was fixed by a Government Order passed in 1927 and a long period has elapsed since then and that such grounds as the Government had then for adopting the nomination system have lost their force now. The League suggests that the representatives of the employers of labour and of the labouring classes may as well be elected by the Chambers of Commerce and the registered trade unions respectively. There is no reason why a member of the Madras Legislative Council for the City of Madras should not also be elected by the Members of the Legislative Council representing the City in that august body. Madras is a big city and the number of temperance organizations doing work has increased. The League respectfully suggests that representation to Temperance Societies should be increased.

3. As in the case of local bodies, the official element should be completely eliminated. The fact that the decisions of the Board are subject to the approval of the Commissioner of Excise is a sufficient safeguard, if such a safeguard is necessary at all. If the presence of officials is deemed necessary to explain what the League may venture to call the official point of view, they may be members without the power of voting on the subjects considered by the Board. The rules should in any case lay down clearly that the Chairman of the Board shall be a non-official elected by the Board.

4. As regards duties assigned to the Board it is seen that the Board cannot determine the number of toddy shops. It can determine only their location. It is not understood why there should be this distinction between toddy and other kinds of shops. The League submits that the Board should have powers to determine the number and location of *all* kinds of shops. The League is also of opinion that the decisions of the Board in regard to reduction in the number and location of shops should be final subject if at all only to the control of Government and not of the Commissioner of Excise. This will accord with the principle of responsibility of the Minister in charge of the subject who is responsible to the Legislative Council for the Excise policy. The Commissioner of Excise will always have an opportunity of putting forward his point of view, for no Government can afford to ignore the point of view of the head of a department. When the Government feel inclined to agree with the Commissioner of Excise they can ask the Board to reconsider its decisions and the procedure laid down in rule 17 may be followed with the following change, viz., the Government shall pass orders on the point or points at issue. The rule 17 requires the Commissioner of Excise merely to report to Government his reasons for not accepting the decisions of the Board on the points

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at issue. That the issues in the case of difference between him and the Board shall be decided by Government is a vital change necessary in the rule.

5. By rule 17, the Board shall not during the term of its office reduce the number of excise shops (of course toddy shops excepted) existing on the date when it came into office by more than one-fourth of each kind of shop and the number shall not be reducible by any succeeding Board to a lower figure than one-third of the number existing when such a Board was first constituted. It is not understood how this proportion was arrived at and what the reasons are for restricting the powers of the Board in regard to this. This restriction practically deprives the Board of any voice in reducing the number of shops after a certain period. Such delimitation of powers is neither desirable nor necessary as long as the power of approval of the decisions of the Board rests with the Commissioner of Excise or the Government if the suggestion of the League is accepted. As the rules stand at present, it is not clear whether the restrictions regarding reduction in the number of shops are equally applicable in the case of proposals to increase the number of shops.

While in rule 13 it is clear that the Licensing Board has power to decide the number and location of shops under fixed fee licences also, rule 14 (c) states that the list of other fixed fee liquor licences other than F.L. 17, proposed to be issued for the ensuing lease will be placed before the Board for any advice they may have to offer. It is not clear whether the fixed fee licences referred to in rule 14 (c) are other than those mentioned in rule 13 (c).

It is laid down in rule 19 that a decision of the Board shall not be amended by itself except by a vote of a two-thirds majority of the members for the time being composing it. It virtually means a decision once arrived at cannot be revoked by the Board in the light of fresh facts brought to its notice unless all or two-thirds of the members are present and two-thirds of the members or all members present as the case may be vote in favour of changing the decision.

The League also submits that the Board should be given powers to regulate the hours of sale, to frame regulations for the location of shops and all such regulations as are at present framed by the Commissioner of Excise or the Government. Then only the Board will be a real licensing authority. At present it is a misnomer to call the Board a Licensing Board with such restricted powers as it possesses now.

The remarks made regarding the Excise Licensing Board apply *mutatis mutandis* to the mufassal licensing boards as well. Their composition is worse, as out of ten members five are nominated and even the sixth member, a representative of labouring classes as is usually the case, may be a nominated member. With the representation of the licensees there is always a majority for the view put forward by the Excise department. The mufassal boards also should

have an absolute elected majority, the Chairman being always a non-official elected by the Boards. They should also possess powers to determine the number and location of all kinds of shops including F.L. licensees. Their decisions also should be subject to the control of Government and not of the Commissioner of Excise. Rule 15 restricting the powers of the Boards in regard to reduction in the number of shops should be removed. The rule says that in municipalities where there are five or more shops not more than one-fifth of the number can be closed. It means that in all municipalities containing five to seven shops not more than one shop can be closed. In municipalities where the number of shops is eight or more not more than two shops can be closed during the period a Board holds office. But in no case can the number of shops be reduced to a lower figure than one-third of the number existing on the occasion when the Boards were constituted. As already stated such restrictions are unnecessary and that too as long as the power to revise the decisions of the Boards is vested in the Government or the Commissioner of Excise.

The League also submits that licensing Boards may be constituted in all municipalities. At present they are in existence in 23 out of a total of 81 municipalities. The Excise Advisory Committees may deal only with rural areas.

The Advisory Committees are constituted on lines similar to those of the Licensing Boards with this difference that there is no representation for employers of labour and a member of the Legislative Council is not nominated to it. Unless there is more than one municipality represented on the Committee, the defects noticed in regard to the Licensing Boards will be more patent. As the name itself indicates, the powers of these committees are merely advisory and their decisions are subject to the control in the first instance of the Collector and finally of the Commissioner of Excise. The League does not understand why there should be any distinction in the composition and powers of the Boards and the committees inasmuch as the decisions of all bodies are only advisory as long as they are subject to the control either of the Collector or the Commissioner of Excise. The League respectfully submits that the licensing board may be constituted for each taluk and the powers at present enjoyed and those proposed may be given to these advisory committees also. As already suggested the decision of these bodies may be subject if at all to the veto of Government only.

In reply to question in the Legislative Council on 2nd November 1935 (vide question No. 424), the Hon. the Minister for Education and Excise stated that it is not the duty of the licensing boards to advise on matters like the group auction system introduced in certain districts. If the contention of the Hon. the Minister for Education and Excise is correct, then the existence of licensing boards is unnecessary as Government can have their way, adopt any method they like and license any shop they desire. The action of the authorities concerned in adopting a new method of licensing system without even consulting the licensing boards and advisory committees may be in

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the interest of the Government revenue but in any case the League ventures to submit it is entirely against the spirit which prompted the Government so far back as 1927 to constitute licensing boards and advisory committees with certain powers.

After carefully reading the rules governing the composition and powers of the licensing boards and advisory committees and studying their practical working, the League feels time has come when either effective voice should be given to representatives of peoples on those bodies or they may be abolished altogether. The exercise of real power only can create responsibility. It appears as though the Government are afraid that if real powers are granted that all the drink shops will be closed in a day. Such a fear breeds suspicion and the amount of co-operation necessary from these bodies will not be forthcoming. Representatives of the public on these bodies as in the case of other public bodies may be trusted to exercise their judgment discreetly.

During the course of the budget debate on the Excise grant the Hon. the Minister for Education and Excise promised to examine the question of composition and powers of the licensing boards and advisory committees. This promise will, it is hoped, be fulfilled and to enable the Hon. the Minister to consider the question, the League submits this memorandum hoping he will be pleased to modify the rules governing these bodies in the directions indicated in the memorandum.

(2)

G.O. Ms. No. 853, Revenue, dated 17th April 1936.

The Madras Temperance League has made the following suggestions with regard to the constitution and powers of the excise licensing boards and excise advisory committees:—

(i) That the representatives of the employers of labour and of the labouring classes should be elected by Chambers of Commerce and registered Trade Unions, respectively;

(ii) that the Member of the Legislative Council in the Madras City Licensing Board should be elected by the members representing the City in the Legislative Council;

(iii) that increased representation should be given to temperance societies;

(iv) that as in the case of local bodies, the official element should be eliminated or should have no power to vote and that in any case the chairman should be a non-official, elected by the board;

(v) that the board should have power to determine the number and location of all kinds of shops, and that the decision of the board concerning the number and location of shops should be final subject, if at all, only to the control of the Government and not of the Commissioner of Excise;

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(vi) that there should be no restriction on the powers of the board to reduce the number of shops;

(vii) that the board should be given powers to regulate the hours of sale and to frame regulations for the location of shops and all such regulations as are at present framed by the Commissioner or the Government;

(viii) that licensing boards should be constituted for all municipalities; and

(ix) that advisory committees should be constituted for each taluk with the powers of the licensing boards.

2. *Suggestion* (i).—The rules already provide for the election by labour organizations of the representative of the depressed or labouring classes. It is only when such organizations do not exist that a representative is nominated. As regards the representative of the employers of labour, the Government agree that he should be elected by bodies such as Chambers of Commerce, if any such bodies exist and should be nominated by the Collector only if there are no such bodies.

3. *Suggestion* (ii).—The number of members representing the City of Madras in the Legislative Council is small. The Government do not consider that any useful purpose will be served by changing the existing practice of nominating one of them to sit on the Madras City Licensing Board.

4. *Suggestion* (iii).—The League has stated that Madras is a large city and that the number of temperance organizations doing work has increased but it has given no details as to the number of new organizations in existence nor has it shown any justification for an increase in the representation of temperance views. The Government do not consider that any change in the existing rules is necessary in this respect.

5. *Suggestion* (iv).—The Government do not consider that the analogy sought to be drawn from local bodies is sound. It is essential that officials should be members of the excise licensing boards and excise advisory committees to represent the departments to which the administration of the Excise revenue and the prevention of excise crime are entrusted and to retain in those bodies an element possessing practical administrative experience. The rules already provide that the board should elect its own chairman who may be a non-official. The Government do not consider that any change in the existing rules is desirable in these respects.

6. *Suggestions* (v), (vi) *and* (vii).—The League states that the licensing board cannot determine the number of toddy shops but can determine only their location and that it does not understand why there should be this distinction between toddy and other kinds of liquor shops. The main reason which led to the exclusion from the rules of the power to determine the number of toddy shops was the comparatively innocuous character of toddy as was recognized by the Excise Advisory Committee appointed by the Government in 1924. The

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number of toddy shops in a municipality is usually larger than the number of arrack shops and if, without taking into account the difference in character between the two liquors, the number of toddy shops in a municipality were reduced to the same level as that of arrack shops, considerable inconvenience would be caused to consumers and there would be congestion in the remaining shops with the result that illicit tapping and unlicensed sales would increase. The increase in excise crime in recent years has been alarming and in order to check the provision of adequate sources of licit supply is essential. Reduction in the number of shops has therefore to be made with great caution. The Commissioner of Excise, who is the head of the department and who is immediately responsible to the Government for the proper administration of the excise revenue and the prevention of excise crime, is the proper authority to exercise control over the decisions and recommendations of the boards and committees. The Government also retain the general authority to intervene if necessary. The functions of the Commissioner and of the Government to frame regulations on the details of Excise administration cannot be delegated to the licensing boards and advisory committees. In these circumstances the Government are unable to accept the suggestions of the League.

7. *Suggestion* (viii).—The number of shops in the smaller municipalities has already been reduced to the indispensable minimum and the shops are located as suitably as possible according to the circumstances of each case. If licensing boards were constituted for these municipalities, they would have practically no work to do. These municipalities are already represented on the excise advisory committees, the Government do not therefore consider that it is either necessary or desirable to constitute licensing boards for smaller municipalities.

8. *Suggestion* (ix).—The Government do not consider that this suggestion is a practicable one. The representatives of the departments concerned will not be able to find the time necessary for attending the meetings. The suggestion also involves increased expenditure to the Government. Excise licensing boards are designed to meet the needs of the thickly populated urban areas and it is neither necessary nor desirable to convert the advisory committees into licensing boards.

9. The Commissioner of Excise is requested to submit for the approval of the Government the necessary amendments to the rules with reference to paragraph 2 above.

(By order of the Government, Ministry of Education and Local Self-Government)

H. R. Uzielli,
Secretary to Government.

To the Commissioner of Excise.
„ Honorary Joint Secretary of the Madras Temperance League.

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APPENDIX VIII.

[Vide answer to question No. 47 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 27th August 1936, page 56 supra.]

(1)

Extract of the report of the Commissioner of Excise, dated 19th December 1932.

In pursuance of G.O. Ms. No. 2435, Revenue, dated 20th November 1929, orders were issued directing the closure of all ganja, opium, F.L.-2, F.L.-5 and 5 (*a*), F.L.-6 and 6 (*a*) and all F.L.-8 shops on all Sundays as also certain arrack shops serving chiefly people who do no work on Sundays. In the case of some ganja and many opium shops this restriction has been dispensed with on the recommendation of the local officers. As regards the classes of foreign liquor licences coming under these orders the effect of Sunday closing has not been material; the Collector of the Nilgiris is against the closure of beer shops on such days on the ground that it is a substitute for toddy in that district and that the closure of such shops while most of the arrack shops remain open results in more harm than good. In the case of the few arrack shops closed on Sundays under these orders, most of the Collectors and the Deputy Commissioners have reported that the conditions under which the restrictions were originally imposed have now ceased to exist and that the continuance of closure on Sundays has merely stimulated illicit practices. The Commissioner has no particular objection to the closure of foreign liquor shops including beer shops in the Nilgiris being continued though he has not observed any benefit to temperance arising from the closure. He considers that the existing restriction on Sunday opening in the case of a few arrack shops has really been ineffective, has stimulated illicit practices and affected revenue and may with advantage be withdrawn. As regards opium and ganja shops he has observed in his tour that sales of these drugs on Saturdays are frequently double than on ordinary week days. The inference is either that consumers lay in a double ration on Saturdays to last them over the week-end or that renters withdraw part of their stock under the cloak of sale to the public on Saturday for private and illicit sale on Sunday. Consumption is not reduced and under the second hypothesis Sunday closure has the bad effect of inciting renters and the public to breach the law. He would, therefore, welcome withdrawal of this restriction.

(2)

Extract from G.O. No. 79, *Revenue, dated* 14*th January* 1933.

The Government approve the following proposals of the Commissioner of Excise in connexion with the management of the arrack revenue in the Presidency for 1933–34:—

* * * * *

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that the restriction on the opening of shops on Sundays should be withdrawn in the case of arrack, ganja and opium shops with effect from 1st April 1933, but that it should be continued in regard to foreign liquor shops (including beer shops in the Nilgiris).

(3)

Extract of the report of the Commissioner of Excise, dated 10th December 1934.

In pursuance of G.O. No. 2435, Revenue, dated 20th November 1929, orders were issued directing the closure of all ganja, opium, F.L. 2, F.L. 5, F.L. 5 (*a*), F.L. 6, F.L. 6 (*a*) and F.L. 8 shops on all Sundays. In G.O. No. 79, *Revenue, dated 14th January 1933*, Government have withdrawn the restriction on the opening of arrack, ganja and opium shops with effect from 1st April 1933. The Commissioner now observes that the closure of beer shops on Sundays gives a preference to imported bottled beers which can be purchased overnight and drunk on Sundays. Indian beer is the drink of the better class working man and it is perhaps hard that he may have to work on Sundays and yet have to do without this fairly harmless beverage. He therefore buys imported beer—the cheapest he can get. This is given as one of the reasons for the decline in the sale of Indian beer. The Commissioner therefore recommends the withdrawal of this restriction in the case of F.L. 5, F.L. 6 and F.L. 6 (*a*) shops with effect from 1st April 1935.

(4)

G.O. No. 41, Revenue, dated 5th January 1935.

The Government approve the recommendation of the Commissioner of Excise that the restriction on the opening of shops on Sundays should be withdrawn in the case of F.L. 5, F.L. 6 and F.L. 6 (*a*) *shops with effect from 1st April 1935.*

(5)

Extract of the report of the Commissioner of Excise, dated 3rd January 1936.

In G.O. Ms. No. 41, Revenue, dated 5th January 1935, the Government approved the recommendation of the Commissioner that the restriction on the opening of shops on Sundays should be withdrawn in the case of F.L. 5, F.L. 6 and F.L. 6 (*a*) shops with effect from 1st April 1935. The orders governing the closure of foreign liquor licensed premises on Sundays passed in G.O. Ms. No. 2435, dated 20th November 1929, are now observed only in respect of F.L. 2, F.L. 5 (*a*) and F.L. 8 shops.

The F.L. 2 licence is one for consumption 'off' the premises and the restriction in this case should continue: but the case of the other two licences—F.L. 5 (*a*) (taverns where there are beer shops) and F.L. 8 (bars) which are few in number but are important where they exist—is different. They are for consumption 'on' the premises and there

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is no justification for treating them differently from all the other licences for consumption ' on ' the premises which now permit sales on Sundays. The Commissioner accordingly recommends that the restriction imposed in 1929 may be removed in respect of F.L. 5 (*a*) and F.L. 8 licences also.

(6)

G.O. No. 232, *Revenue, dated 3rd February* 1936.

The Government approve the recommendation of the Commissioner of Excise that the restriction on the opening of shops on Sundays should be withdrawn in the case of F.L. 5 (*a*) and F.L. 8 shops with effect from 1st April 1936.

APPENDIX IX.

[Vide answer to question No. 48 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 27th August 1936, page 56 supra.]

Statement.

Name of district.	1930–31.		1931–32.		1932–33.		1933–34.		1934–35.	
	Arrack.	Toddy.	Arrack.	Toddy.	Arrack.	Toddy.	Arrack.	Toddy.	Arrack.	Toddy.
Ganjam	..	..	..	..	..	..	..	..	..	..
Vizagapatam ..	2	..	8	..	8	..	..	..	4	1
East Godavari ..	..	..	..	..	..	..	..	..	4	1
West Godavari ..	..	..	..	..	..	..	..	..	..	..
Kistna	..	..	..	..	..	..	..	..	1	1
Guntur	..	..	..	..	..	1	4	..	..	..
Nellore	2	1	1	3	2	5	1	4	4	1
Cuddapah	..	..	..	..	2	..	2	..	..	..
Anantapur	..	..	..	..	..	1	..	2	6	..
Bellary	..	..	..	..	..	..	..	..	..	4
Kurnool	..	..	..	..	..	1	2	..	..	..
Madras	..	..	..	..	..	..	..	..	..	..
Chingleput	..	..	1 (*a*)	..	..	2	1	1	..	..
Chittoor	..	..	..	..	..	..	2	..	2	..
North Arcot ..	..	..	..	..	..	..	..	..	..	1
South Arcot ..	..	..	..	..	..	..	..	1	..	..
Tanjore	..	..	..	..	..	..	..	..	..	..
Trichinopoly ..	..	..	..		..	..	..	..	..	..
Madura	..	..	..	..	..	..	..	..	..	..
Ramnad	..	1	..	..	..	..	..	..	..	..
Tinnevelly	..	..	..	..	..	..	..	..	..	..
Coimbatore	..	..	..	..	..	..	..	1	1	..
Nilgiris	..	..	..	..	..	..	..	..	..	..
Salem	..	..	..	2	..	1	..	..	..	–
South Kanara ..	..	..	..	..	..	..	..	..	..	..
Malabar	..	..	..	..	..	..	..	..	..	..
Total ..	4	2	10	5	12	11	12	9	22	9

[illegible]ing of [illegible] shop from one village to another.

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APPENDIX X.

[Vide item VII (1) at page 61 supra.]

(1) PAYMENT OF CONTRIBUTION TO THE DISTRICT BOARD, TINNEVELLY, FOR THE MAINTENANCE OF THE ROAD FROM COURTALLAM TO THE FIVE FALLS.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
V. Forest—Reserved.	8. Forest—b. Conservancy, Maintenance and Regeneration—Reserved—D. 1. Roads and bridges.	Contribution to the District Board, Tinnevelly, for the maintenance of the road from Courtallam to the Five Falls.	100

Explanatory note.

Till recently the road from Courtallam to the Five Falls, a distance of two miles and four furlongs, was maintained by the Forest Department. This road is not likely to be of any use to the Forest Department for extraction purposes for the next ten years or more and there is therefore no justification for its maintenance by the Forest Department. It is however necessary that the road should be maintained for the convenience of the numerous visitors and pilgrims who visit the Five Falls. The District Board, Tinnevelly, was therefore requested to undertake its maintenance. The District Board agreed to do so provided the Forest Department would pay an annual contribution of Rs. 200. The Government sanctioned the transfer of the road to the District Board subject to the following conditions, namely:—

(1) that the Forest Department pays an annual contribution of Rs. 200 to the District Board, for the maintenance of the road; and

(2) that the contribution will be payable after the road is inspected by the District Forest Officer, Tinnevelly, and is certified at the beginning of March every year to have been maintained satisfactorily.

The first contribution will have to be paid in March 1937. As however no provision has been made for the purpose in the Budget Estimate for the current year and as this is a new service according to a ruling of the Public Accounts Committee, it is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant V—Forest—Reserved." The balance of Rs. 100 will be met from savings under the grant.

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APPENDIX XI.

[Vide item VII (2) at page 62 supra.]

(1)

(2) (a) PROVIDING STEM SHUTTERS AND LOCKING ARRANGEMENTS TO THE SLUICES OF THE KALINGAROYAN CHANNEL.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
VI. Irrigation (excluding *Cauvery-Mettur Project*)—Reserved.	XIII. Irrigation, etc., works for which capital accounts are kept—*Working expenses*—Irrigation works—Productive works—(a) Extensions and improvements—Kalingaroyan channel.	Provision of stem shutters and locking arrangements to the sluices.	100

Explanatory note.

The Kalingaroyan channel takes off from the Kalingaroyan anicut across the Bhavani river. It is 57½ miles long and it has a branch channel 4 miles in length. The channel has 9,500 acres of wet lands on its left side and 3,500 acres of dry and wet lands on its right. The left side area is irrigated by 826 pipe sluices with no shutters for regulation. The right side is also irrigated by open cuts or from baling stands connected with the main channel. There is not much waste on the right side except through some undertunnels. The sluices on the left side are designed to work at different duties varying from 1 to 30 (though they can uniformly work at 35 to 40 duty) and waste a large quantity of water into the valley of the Cauvery. Consequently at times of low supply in the channel it is found very difficult to pass water down to the tail-end lands as temporary closing of the sluices is found impossible owing to clandestine interference by the ryots.

2. Ordinarily the channel draws about 750 cusecs at the head and allowing about 60 cusecs for about 3,500 acres of mostly dry crops on the right side the balance of about 690 cusecs is drawn by 9,500 acres of wet lands all on the left side, working at a duty of 15 and less. When the full supply of 750 cusecs is allowed at the head there is no complaint. When the supply in the channel falls below 623 cusecs the supply to all sluices has to be reduced by inserting a stone or brushwood in front of the sluice if the required supply is to be maintained at the tail-end. When the supply falls to 550 cusecs water does not reach the tail-end even with regulation of all the sluices, as the ryots always interfere with the regulation by removing the materials used for partial closing. The ryots take more water than is required for their fields and drain the surplus into the Cauvery. In order to ensure a well-regulated supply it is proposed to provide stem shutters and locking arrangements to the sluices of the channel at a cost of Rs. 37,400. The proposals do not contemplate any immediate extension of irrigation, but

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aim at efficient control and equitable distribution of water at all times by eliminating wastage of water as much as possible. The works proposed are required in any well-regulated irrigation system and would have been carried out if the channels had been dug by Government at first. The scheme is therefore necessary on administrative grounds. The Chief Engineer for Irrigation, the Collector, the Board of Revenue and the Irrigation Development Board recommend the scheme. It is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under " Grant VI—Irrigation (excluding Cauvery-Mettur Project) " for expenditure on the works in the current year. The balance required during the current year, viz., Rs. 4,900 will be met by reappropriation.

(2)

(2) (b) PROVIDING STEM SHUTTERS AND LOCKING ARRANGEMENTS TO THE SLUICES OF THE ARKENKOTA CHANNEL.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	XIII. Irrigation, etc., works for which capital accounts are kept—Working expenses—Irrigation works—Productive works—(a) Extensions and improvements—Arkenkota channel.	Provision of stem shutters and locking arrangements to the sluices.	100

Explanatory note.

The Arkenkota channel takes off from the left side of the Kodiveri anicut across the Bhavani river and has an ayacut of 4,900 acres. There are 207 sluices in this channel and almost all of them are at present drawing more water than their actual requirements. The channel carries a discharge of about 200 cusecs and irrigates only 4,765 acres on an average, while normally it should be able to irrigate about 8,000 acres. In order to avoid wastage and to ensure a well-regulated supply it is proposed to provide stem shutters and locking arrangements to the sluices of the channel at a cost of Rs. 12,100. The proposals do not contemplate any immediate extension of irrigation, but aim at efficient control and equitable distribution of water at all times. The works proposed are required in any well-regulated irrigation system and would have been carried out if the channels had been dug by Government at first. The scheme is therefore necessary on administrative grounds. The Chief Engineer for Irrigation, the Collector, the Board of Revenue and the Irrigation Development Board recommend the scheme. It is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under " Grant VI—Irrigation (excluding Cauvery-Mettur Project) " for expenditure on the works in the current year. The balance required during the current year, viz., Rs. [illegible] will be met by reappropriation.

(3)

(2) (c) PROVIDING STEM SHUTTERS AND LOCKING ARRANGEMENTS TO THE SLUICES OF THE TADAPALLI CHANNEL.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
VI. *Irrigation* (excluding Cauvery-Mettur *Project*)—Reserved.	XIII. *Irrigation, etc.*, works for which capital accounts are kept—Working expenses—Irrigation works—Productive works—(*a*) Extensions and improvements—Tadapalli channel.	Provision of stem shutters and locking arrangements to the sluices.	100

Explanatory note.

The Tadapalle channel takes off from the Kodiveri anicut across the Bhavani in Coimbatore district and after running for about 48 miles joins the Anantasagaram tank. The total maximum area irrigated by the channel is 15,000 acres. The channel is generally open for irrigation for 10 months in the year. Owing to the fluctuation of supply in the channel the whole of the ayacut is not under irrigation for the whole of the season and the channel has been divided roughly into three main crop reaches, which are allowed water during different periods. These are (i) the kar reach (miles 32 to 48—the tail-end of the channel) the lands under which are allowed to take water from April 15th to September 25th; (ii) sada samba reach below mile 4 on the Kugalur branch—15th June to 25th November; and (iii) samba reach, the rest of the channel—15th July to 15th February. In alternate years the ryots in the upper half of the kar reach (miles 32–40) are allowed water for a second crop, while in the lower half of the reach (miles 40–48) a second crop can be grown every year. Thus from April to July, water has to be taken down to mile 32 of the main channel and denied to the upper sluices past which it flows. Further in times of low supply in the river, it is necessary to institute a series of turns to ensure that water gets to the lower reaches and the high level sluices. In view of the need for elaborate regulation as described above and of the necessity for turns it is proposed to fit stem shutters so that the sluices may be closed more effectively than by the present method of blocking them with earth, etc.

There are at present 406 masonry pipe sluices and all these were designed for half supply level in the channel. Hence when the channel runs at full supply level all the upper sluices discharge more than the required quantity of water and it is not possible to control this wastage without locking arrangements to the sluices. In order therefore to ensure a well-regulated supply and to secure effective control and equitable distribution of water at all times, eliminating wastage of water as much as possible, it is proposed to provide stem shutters and locking arrangements to the above sluices at a cost of Rs. 15,900. The proposals do not contemplate any immediate extension of irrigation, but extension of irrigation is expected to become possible eventually as the surplus that is now wasted through the sluices can be utilized. Before any steps are taken to extend irrigation, the surplus

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actually realized after the proposed works are carried out will be gauged. The works proposed are required in any well-regulated irrigation system and would have been carried out if the channels had been dug by Government in the first instance. The scheme is therefore necessary on administrative grounds. The Chief Engineer for Irrigation, the Collector, the Board of Revenue and the Irrigation Development Board recommended the scheme. It is therefore proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant VI—Irrigation (excluding Cauvery-Mettur Project)" for expenditure on the works in the current year. The balance of Rs. 4,900 required during the current year will be met by reappropriation.

(4)

(2) (*d*) IMPROVEMENTS TO THE YENAMADURRU DRAIN, GODAVARI WESTERN DELTA.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	*XIII. Irrigation, etc.*, works for which capital accounts are kept—Working expenses—Irrigation works—Productive works—(*a*) Extensions and improvements—Godavari delta system.	Improvements to the Yenamadurru drain.	*100*

Explanatory note.

The Yerrakalva, a large stream draining nearly 900 square miles of country crosses the Ellore canal under the Nandamur aqueduct and is thereafter called the Yenamadurru drain. This is one of the most important drains in the Godavari western delta. It is divided into the following reaches:—

(1) Head to Duvva weir.

(2) Duvva weir to Gostanadi infall.

(3) Gostanadi infall to 37/3 tail-end.

Various improvements to this drain have heen carried out from time to time. In 1910, the Chief Engineer for Irrigation drew up a scheme for carrying out further improvements to the drain, which included the following proposals:—

(1) To provide a drain with an ultimate bed width of 200 feet wide, side slopes 1:1 and bed and surface falls of 0·8 foot per mile and depth 12 feet minimum and 15 feet maximum; but to cut and widen it first to a tentative width of 150 feet from Duvva weir to the head of the short cut;

(2) to widen the short cut from 150 feet to 200 feet bed width after the effect of widening the upper reaches was known;

(3) to make provision for acquiring lands to the extent sufficient to widen the drain to the ultimate bed width of 200 feet with an adequate margin for forming spoil banks; and

(4) to provide a head sluice for the Venkiah canal at the head of the bifurcation near Duvva.

Of these proposals items (1), (3) and (4) have been carried out, but item (1) has been done, so far only to a tentative width—100 feet and the ultimate widening of the bed width to 200 feet required for the full effective discharge of flood water in the drain has not been carried out. The drain from the Gostanadi infall to the head of bifurcation of Venkiah and Wuyyeru canal at Duvva has, however, been excavated to a width of 100 feet in the deep bed with side berms of 50 feet and 6 feet height on either side under the estimate for improvements sanctioned for Rs. 12·07 lakhs in 1920.

2. The improvements contemplated in the above estimates have almost all been carried out to a tentative extent and the savings in the estimates have been utilized for replacing the existing Duvva weir by a regulator (provided in front of the existing road bridge over the drain) and building a new head sluice across the Venkiah and Wuyyeru canal at its head, to control the floods flowing down the Venkiah and Wuyyeru canal.

3. The experience of the 1933 floods has shown that the objects aimed at in the construction of the above works have not been fully realized. With a view to exclude more of the floods from the Venkiah and Wuyyeru canal and to prevent widespread submersion of lands, the Chief Engineer for Irrigation has proposed the following improvements to the drain:—

(1) Widening the drain by 50 feet (25 feet on either side);

(2) banking up the drain at the gaps;

(3) providing side channels; and

(4) raising walls over Bhimavaram lock chamber walls.

The cost of these improvements is estimated at Rs. 2·04 lakhs. The Collector, the Board of Revenue and the Irrigation Development Board recommend the proposal on administrative grounds. The improvements are, however, anticipated to result in savings of remissions of about Rs. 7,870 per annum. As the Chief Engineer for Irrigation considers the work urgent and does not want to lose the working season which begins in February 1937 it is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant VI—Irrigation (excluding Cauvery-Mettur Project)" for expenditure on the works in the current year. The balance of Rs. 900 required during the current year will be met by reappropriation.

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(5)

(2) (e) CONSTRUCTION OF AN ANICUT ACROSS THE DUVVALERU PROJECT, KURNOOL DISTRICT.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	16. b. Construction of Irrigation, etc., works—B. Financed from ordinary revenues—Unproductive—Reserved.	Duvvaleru Project, Kurnool district.	100

Explanatory note.

The project which has been under consideration for a long time involves the construction of an anicut across the Duvvaleru and the excavation of a supply channel for feeding the Tirupurantakam Upperlapalle and other minor tanks in the Rudrappa tank group of the Markapur minor basin in Kurnool district. The Duvvaleru is a perennial hill stream and drains a catchment of 98 square miles of country at the site of the proposed anicut. The site of the anicut is about half a mile north-west of Chapalamadugu village in Markapur taluk and about 32 miles from Markapur Road Railway station on the Guntakal-Bezwada line and near the foot of the Nallamalai hills.

2. The anicut is the first masonry structure across the river. The main channel taking off at the anicut is designed to carry 100 cusecs and to supply a chain of rainfed tanks which very rarely surplus because the rainfall is scanty and their catchments insufficient. The project will not only ensure supply to the existing ayacut under the tanks, i.e., 493 acres but will also permit extension of irrigation to about 704 acres. The cost of the scheme is estimated at Rs. 1·14 lakhs (works outlay) and ·03 lakh for an establishment of one supervisor and one peon for three years to be provided for under " 41. Civil Works—Establishments." The increase in revenue expected from raising the classification of the tanks and from the new ayacut is Rs. 4,474. This gives a return of 3·9 per cent on works outlay or 3·01 per cent on the total cost including direct and indirect charges (Rs. 1·49 lakhs). The work is in the famine zone and the return fixed for protective works in this tract is 3 per cent. The Board of Revenue and the Irrigation Development Board recommend that the scheme should be carried out as a famine protective work and the Government have accepted the recommendation. It is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under " Grant VI—Irrigation (excluding Cauvery-Mettur Project) " for expenditure on the works in the current year. The balance required during the current year, viz., Rs. 4,900 will be met by reappropriation.

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(6)

(2) (*f*) RECONSTRUCTING THE BRIDGE AT MILE 27/1 OF INJARAM CANAL NEAR VENKATAYAPALEM ON THE COCANADA-KOTIPALLI ROAD.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	16. Construction of Irrigation, etc., works—B. Financed from ordinary revenues—Productive—Godavari delta system.	Reconstructing the bridge over the Injaram canal.	100
	XIII. Irrigation, etc., works for which capital accounts are kept—Working expenses—Irrigation works—Productive works—Godavari delta system.	Do.	

Explanatory note.

The Cocanada–Kotipalli road which connects important places in the Godavari eastern and central deltas crosses the Injaram canal of the eastern delta at mile 27/1, near the village of Venkatayapalem. There is at present a narrow bridge at the site, maintained by the Public Works Department. The bridge which was originally intended only for loaded bullock-carts has a span of 30 feet with a roadway only 8 feet wide, and is not able to cope with modern traffic including motor buses, etc. Small cracks have appeared at the abutments and the iron work is showing signs of deterioration. As the bridge is beyond repair it is proposed to reconstruct it to suit modern conditions of traffic. The Government share of the cost is estimated at Rs. 17,520. The District Board, East Godavari, has agreed to pay its share of the cost (viz., Rs. 3,480 works outlay). As it is necessary to do the work urgently it is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant VI—Irrigation (excluding Cauvery-Mettur Project)" for expenditure on the works in the current year. The balance (viz., Rs. 900) required during the current year will be met by reappropriation.

(7)

(2) (g) REMODELLING THE SLUICES OF THE ODAMBOKKIYAR AND CONSTRUCTION OF NEW REGULATORS.

Grant number. (1)	Head of account. (2)	Item of expenditure. (3)	Amount of supplementary grant required in 1936–37. (4)
			RS.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	16. Construction of irrigation, etc., works—B. Financed from Ordinary Revenues—Productive—Reserved—Cauvery delta system.	Construction of new regulators and remodelling the sluices of the Odambokkiyar.	100
	XIII. Irrigation, etc., works for which capital accounts are kept—Working expenses—Irrigation Works—Productive—(a) Extensions and Improvements—Cauvery delta system.	Do.	
	XIII. Irrigation, etc., works for which capital accounts are kept—Working expenses—Irrigation Works—Productive—(b) Maintenance and repairs.	Do.	

Explanatory note.

The Odambokkiyar which is both an irrigation and a drainage river takes off from the Vettar at 73 miles 40 chains. During floods the river draws more water than it can carry and during the low water season owing to insufficient command more water has to be sent down than is actually required for irrigation. This trouble has been experienced for a long time and the question of remedying the defects has for years engaged the attention of the local officers and the Government. The construction of a regulator at the head of the river and improvements to the supply channels were recommended by the Cauvery Committee.

2. As a first step, the construction of a regulator at mile 74 chain 50 was sanctioned in 1933. This regulator is now under construction. The sluices above it are also being remodelled to suit the alterations in levels consequent on the construction of the regulator.

3. It is now proposed to continue the policy of building regulators to give proper command when only the supply required for irrigation is sent down. It is proposed to provide regulators at mile 79–10, mile 80–57 and mile 85–25. These are designed to provide sufficient command for the sluices in the reaches above them. Only one of the regulators, namely, that at mile 85–25 will be an entirely new work. The other two result from the conversion of the existing bridges at Vilamal and Vijayapuram into regulators. It is proposed to widen the roadway over the Vilamal bridge at a cost of Rs. 7,700 (inclusive of centage charges), and the District Board, East Tanjore, and the Tiruvarur municipality have agreed to pay the cost of this widening.

4. With the building of these three regulators all the old sluices will require remodelling to suit the new level of water and it is proposed to do this. The local officers have explained the proposals to

the ryots and no objections have been raised. It is also proposed improve the surplus work at Kallikudy. The Government share the cost of the above works is Rs. 81,000. The works are necessa on administrative grounds, i.e., for regulating the supply and rectif ing the defective command. No additional revenue is expected fro the proposals. The Collector, the Board of Revenue and the Irrigati Development Board recommend the scheme. As the works have be carried out urgently it is proposed to move a demand for a suppl mentary grant for a token sum of Rs. 100 under " Grant VI—Irrigati (excluding Cauvery-Mettur Project) " for expenditure on the works the current year. The balance required during the current year (viz Rs. 4,900) will be met by reappropriation.

(8)

(2) (h) REMODELLING THE BONDADA CHANNEL IN WEST GODAVARI DISTRICT.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementar grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	55. Construction of irrigation, etc., works—A. Irrigation works—Productive—Godavari Delta system.	Remodelling the Bondada channel.	100

Explanatory note.

The Bondada channel in the Godavari Western delta takes o from the left bank of the Undi canal through a masonry head sluice It runs for a length of nearly six miles and terminates with a cross bund. The ayacut under the channel is about 3,000 acres and irri gation is carried on by earthenware pipe sluices. There are tw dams across the channel at miles 3/6 and 5/1. The ryots in th upper reaches invariably put up planks at these dams to maintain higher level of water and as a consequence the tail-end lands usuall obtain inadequate and untimely supplies. Further the earthenwar pipes do not function properly and thus involves wastage of water. T remedy these defects and to provide timely and adequate supply t the tail-end lands it is proposed to carry out the following works:—

(i) to convert the dam at mile 3/6 into a notch so as to avoi interference by the ryots and to provide a side vent in th notch to facilitate regulation at times when it may be neces sary;

(ii) to demolish the dam at mile 5/1 and construct a regulato at mile 5/7;

(iii) to replace the earthenware pipes with Hume pipes of suit able diameter;

(iv) to construct a tail dam at mile 6/7; and

(v) to regrade the channel.

The cost of these works is estimated at Rs. 11,510 (works outlay). Besides ensuring equitable distribution of water the scheme is expected to bring under irrigation an additional area of nearly 790 acres. The additional revenue to be realized from the scheme is Rs. 3,165. The Collector, the Board of Revenue and the Irrigation Development Board recommend the scheme. It is therefore proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant VI—Irrigation (excluding Cauvery-Mettur Project)" for expenditure on the works in the current year. The balance (viz., Rs. 400) required during the year will be met by reappropriation.

APPENDIX XII.

[Vide item VII (3) at page 68 supra.]

(1)

(3) (a) INSTALLATION OF ADDITIONAL GENERATING MACHINERY FOR THE PYKARA HYDRO-ELECTRIC SYSTEM.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
XVI. Electricity—Reserved.	58. Capital outlay on Hydro-Electric Schemes—a. Pykara Hydro-Electric Scheme.	Laying one additional penstock pipe from the forebay to the power house and installation of an additional generating unit and transformer.	100

Explanatory note.

There are now two penstock pipe lines and three generating units at Pykara. Both the pipe lines and two out of the three generating sets are now in use, one generating set being kept as a stand-by. The proposal now is to extend the generating capacity of the Pykara System by the provision of an extra penstock pipe and one additional generating set at a cost of Rs. 37½ lakhs. If load and economic conditions justify the installation of two generating sets immediately, two will be installed instead of one in which case the expenditure will be increased by Rs. 4·50 lakhs. This will be decided on a further survey of conditions, before final tenders are accepted.

2. The normal effective capacity of the Pykara station is 12,500 K.W. with an overload rating of 15,600 K.W. The actual load at present is 12,600 K.W. which is expected to go up to 15,500 K.W. by 1st April 1937 and to 16,200 K.W. by 1st April 1938. About 4,000 K.W. representing the load in Trichinopoly and Tanjore districts, will be transferred to the Mettur Hydro-Electric System by about April 1937, but this will be made up by 1938 by the demand from Madura and Virudunagar, and the normal increase in Coimbatore and other distributing systems. The Mettur Hydro-Electric Scheme provides for the generation of 6,000 K.W. continuous power during the

irrigation closure period and it was assumed that any shortage in output during the closure period could be supplemented from Pykara. In view of the rapid increase in the demand for power, it is considered that unless extra generating plant at Pykara is ready for operation by the middle of 1938, there will be a serious risk of having to refuse demand from consumers and such a course would constitute a serious set back to the progressive policy now adopted. As it will take a minimum period of two years to complete the installation of the extra unit, work should be started immediately so that the extra unit may be available for operation by the middle of 1938. If one of the generating plants, which is kept as a stand-by, is put into use, it would be possible to generate about 18,750 K.W. taking the risk of operating without stand-by plant. If, however, one of the existing penstock pipes was out of service for repairs—though the contingency is remote—the situation would be serious and would necessitate a curtailment of load.

On the question of provision for spare generating capacity the Chief Engineer has reported as follows:—

" In order to show speedy progress and quick returns, and to promote enthusiasm for electrical development, I have not been advocating sufficient investment in stand-by plant. This policy should, however, be modified as electrical development has now reached a stage when a larger investment on spare capacity is economically justified . . . In conclusion I would point out that it is not advisable or necessary in future to operate within such narrow margins of demand and plant capacity as in the past; it is only fair to our consumers that larger spare generating capacity should be kept available, and it is highly desirable that early sanction be given to the proposed extension."

3. The financial position of the Pykara System on 1st April 1936 including the Trichinopoly and Negapatam extensions is as follows:—

Capital expenditure excluding interest.	Rs.	1,71,91,909
Gross revenue	,,	16,17,351
Operation and maintenance expenses excluding depreciation	,,	3,85,732
Balance	,,	12,31,619
Percentage of return		6·92

The revenue for the year 1936–37 is expected to be Rs. 20,00,000 on the basis of the actuals for the three months ending June 1936.

Statements are appended to this note showing the programme of capital expenditure on the proposed extension and the load and revenue forecast attributable solely to the extension over and above normal Pykara revenues. The programme of outlay includes, in addition to the amount of 37·50 lakhs now required, the expenditure of Rs. 4·50 lakhs to be incurred on the second extra generating unit and the

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expenditure to be incurred on the Madura and Virudunagar extensions and such other increases in lines as may be needed. A proportion of the total outlay on the Mukurti dam fairly debitable to the account of these extensions is also included. It is only because of the increased demand created by the extended system that the Pykara plant has now to be augmented and to judge the remunerative nature of the present proposals, the capital outlay on all the extensions of the system and of plant together with the revenue directly attributable to such extensions has to be considered.

The financial forecast is only up to the seventh year of operation. The return in that year will be 16 per cent and the accumulated surplus of revenue after meeting all charges including interest will be Rs. 27·65 lakhs. In view of the handsome return anticipated so soon, the forecasts of demand, revenue and financial results have not been continued to the tenth year of operation as is usually done.

As the scheme is urgent and necessary it is proposed to take it up for execution during the current year. A sum of Rs. 1,31,000 is required in the current year to be distributed as follows:—

	RS.
Works	72,000
Establishment	9,000
Tools and plant	50,000
	1,31,000

It is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant XVI—Electricity—Reserved" and to provide the balance by reappropriation of savings anticipated under the grant.

ANNEXURE.

I.—PROGRAMME OF CAPITAL EXPENDITURE.

Year.	1937–38.	1938–39.	1939–40.	1940–41.	1941–42.	1942–43.	1943–44.	1944–45.
	RUPEES IN LAKHS.							
Works.								
Balance on Mukurti	12	..	..	..	..	..	..	..
Pykara Power House extension. *	32	10	..	..	..	..	..	..
Virudunagar extension	10	6	— 16 †	..	..	..	.	..
Madura extension	28	4	2	..	..	..	..	..
Line extensions	2	2	6	7	2	2	2	2
Total for each year ..	84	22	— 8	7	2	2	2	2
Progressive total ..	84	106	98	105	107	109	111	113

* Extension now reported on and under reference.

† Virudunagar transferred to Papanasam.

Madura would probably be transferred *to Periyar or Papanasam in a few years.*

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II.—Revenue Forecast.

Year of operation.	* Average increment of demand.	† Average revenue per K.W.	‡ Gross revenue.
	K.W.	RS.	RS.
First year	3,700	160	5,92,000
Second year	6,360	145	9,23,000
Third year	7,780	145	11,29,000
Fourth year	9,960	145	14,45,000
Fifth year	12,140	130	15,80,000
Sixth year	14,320	130	18,63,000
Seventh year	16,500	130	21,45,000

Note.—

Extra demand catered for by the extension work. Average for the year.

† It is doubtful if it will be necessary to reduce tariffs to the extent shown.

‡ Extra revenue earned by the extension.

XII.—STATEMENT OF FINANCIAL RESULTS FOR THE EXTENSION TO PYKARA SYSTEM.

[Prepared in accordance with the rules for Irrigation Works.]

Year of operation. (1)	Capital outlay up to year. (2)	Capital outlay during year. (3)	Interest at 6 per cent on col. (2) and half of col. (3) (4)	Operation and maintenance. (5)	Depreciation. (6)	Total expenses [cols. (5) and (6)]. (7)	Gross revenue. (8)	Net revenue [col (8) — col. (7)]. (9)	Net return on capital outlay col. (9) / col (2) × 100. (10)	Surplus after deducting interest charges [col. (9) — col. (4)]. (11)	Accumulated surplus. (12)
	RUPEES IN LAKHS.	RUPEES IN LAKHS.	RS.	RS.	RS.	RS.	RS.	RS.	PER CENT.	RS.	RS.
											— 3·00 lakhs*
st year of operation ..	84·00	22·00	5,70,000	75,000	1,68,000	2,43,000	5,92,000	3,40,000	4·2	— 2,21,000	— 5,21,000
ond year of operation ..	106·00	— 8·00	6,12,000	90,000	2,12,000	3,02,000	9,23,000	6,21,000	5·9	+ 9,000	— 5,12,000
rd year of operation ..	98·00	7·00	6,09,000	90,000†	1,96,000	2,86,000	11,29,000	8,43,000	8·6	2,34,000	— 2,78,000
rth year of operation ..	105·00	2·00	6,36,000	1,05,000	2,10,000	3,15,000	14,45,000	11,30,000	10·7	4,94,000	+ 2,16,000
th year of operation ..	107·00	2·00	6,48,000	1,20,000	2,14,000	3,34,000	15,80,000	12,46,000	11·7	5,98,000	+ 8,14,000
th year of operation ..	109·00	2·00	6,60,000	1,35,000	2,18,000	3,53,000	18,63,000	15,10,000	13·9	8,50,000	+ 16,64,000
enth year of operation ..	111·00	2·00	6,72,000	1,50,000	2,22,000	3,72,000	21,45,000	17,73,000	16·0	11,01,000	+ 27,65,000

Capital outlay in seventh year (also sum at charge) .. .. 111 lakhs.
Net revenue in seventh year .. .. 17·73 lakhs.
Return .. .. 16·0 per cent.
Accumulated surplus of revenue .. .. 27·65 lakhs.

NOTE.—

Column (2) Approximate cost of works which may be debited to extension.
" (4) Interest taken as 6 per cent.
" (5) Estimated increase in Pykara operating costs.
" (6) Depreciation taken as an overall percentage of 2.

* Construction period interest. † Virudunagar extension transferred.

(2)

(3) (*b*) EXTENSION OF SUPPLY OF POWER UNDER THE PYKARA SYSTEM TO VIRUDUNAGAR AND OTHER PLACES IN THE RAMNAD DISTRICT.

Grant number. (1)	Head of account. (2)	Item of expenditure. (3)	Amount of supplementary grant required in 1936–37. (4) RS.
XVI. Electricity—Reserved.	58. Capital outlay on Hydro-Electric schemes—Supply of power to Virudunagar and Rajapalaiyam.	Construction of transmission lines from Madura to Virudunagar, Rajapalaiyam and other places and construction of sub-stations.	100

Explanatory note.

In April 1936, the Government sanctioned a scheme for the extension of supply of electric power under the Pykara system from Coimbatore to Madura, and construction is in progress. The Chief Engineer has submitted a scheme to extend the supply further from Madura to Virudunagar, Sivakasi, Aruppukottai, Srivilliputtur and Rajapalaiyam in the Ramnad district by constructing the necessary transmission lines and sub-stations.

At Virudunagar, the Government have established a small generating station with two oil-engines and supply power in bulk to the municipal council for local distribution, the Electricity department of Government managing the distribution on behalf of the council on the usual terms.

The Chief Engineer for Electricity has explained the necessity for the scheme as follows:—

> "The load situation at Virudunagar is such that in order to take care of the local demand in 1937 and extensions to Sivakasi and Aruppukottai, a third oil-engine generating set must be installed in the power house. Further a mill of 11,000 spindles is registered for construction at Rajapalaiyam, about 35 miles from Virudnnagar, and another is projected at Virudunagar. These two mills require about 600 h.p., which could not be supplied from the Virudunagar oil-engine plant, unless it is extended by a fourth unit. This is hardly practicable as it is doubtful if electrical energy could be sold to the mills at economic rates, if generated from the existing oil-engine station.
>
> In view of the situation at Virudunagar, and load prospects at other places, it is proposed to extend Pykara Hydro-Electric power to this area by constructing transmission lines from Madura."

The oil-engine station at Virudunagar, will be closed as soon as the present scheme comes into operation.

As regards Sivakasi, the municipal council will be granted a distributing licence for which it has applied, the Government in the

behalf of the council as in the case of Virudunagar. The council has already signed agreements regarding purchase of power in bulk and the management of the distribution by Government. At Aruppukottai, the Electricity department will undertake retail distribution direct including street lights as in other panchayat areas served by the Pykara System. For Rajapalaiyam and Srivilliputtur a private company has applied for a distributing licence which is under the consideration of Government and the licence to be granted will include a condition requiring the licensee to take power in bulk from Government.

There is also a mill at Koilpatti, with a substantial load estimated at 750 K.W. The Electricity department is negotiating with the mill administration to secure this load, but pending a satisfactory conclusion to the negotiations the extension of lines to Koilpatti is not provided for in the present scheme.

The Chief Engineer has pointed out that it is necessary to take up the execution of the work urgently, as it will enable the two projected mills at Rajapalaiyam and Virudunagar to be supplied with Pykara power and prevent their installing oil-engines, as otherwise much revenue will be lost to Government for some years. He has also brought to notice that it is necessary that this scheme should be proceeded with at the same time as the construction of Madura extension referred to at the commencement of this note.

The scheme is intended to help preliminary development of the area with Pykara power to ensure a definite block of load for the future Papanasam Hydro-Electric Scheme in the same way as development has been helped in Trichinopoly and Tanjore districts for the Mettur Hydro-Electric Scheme. The whole net-work of transmission lines and sub-stations included in the scheme will be transferred later on to the Papanasam Scheme when it is constructed and brought into operation.

The cost of the scheme is estimated at Rs. 10·452 lakhs initially rising to Rs. 10·900 lakhs by the eighth year of operation. A statement showing load, revenue and financial forecast is appended. The average gross annual revenue is expected to be Rs. 1·366 lakhs which works out to 12½ per cent of the capital investment in the eighth year. The Chief Engineer for Electricity is of the opinion that the revenue forecast is conservative, considering the general load development that has taken place in similar areas under the Pykara System.

As the scheme is urgent and is expected to be remunerative, it is proposed to take it up for execution during the current year. A sum of Rs. 10,000 is required for expenditure in the current year distributed as follows:—

Works—Rs. 8,500.
Establishment—Rs. 1,400.
Tools and plant—Rs. 100.

It is proposed to move a supplementary demand for a grant for a token sum of Rs. 100 under "Grant XVI—Electricity—Reserved" as the cost of the scheme exceeds Rs. 2 lakhs and to provide the balance by reappropriation from the lump sum provision for unforeseen extensions.

APPENDIX.

Load, revenue and financial of recast.

Item number and description.	First year.	Second year.	Third year.	Fourth year.	Fifth year.	Sixth year.	Seventh year.	Eighth year.
	K.W.	K.W.	K.W.	K.W.	K.W.	K.W.	K.W.	K.W.
1 Virudunagar	190	220	250	280	310	340	370	400
2 Aruppukottai	50	60	70	80	90	100	110	120
3 Sivakasi	35	45	55	60	65	70	75	80
4 Srivilliputtur and Rajapalaiyam.	350	380	410	440	470	500	530	560
5 Other industrial loads	..	100	150	200	250	300	350	400
6 Total load	625	805	935	1,060	1,185	1,310	1,435	1,560
7 Revenue rate in rupees per K.W.	125	125	125	125	125	120	120	120
8 Total revenue in lakhs of rupees	0·781	1·006	1·169	1·325	1·481	1·572	1·722	1·872

	RS.	
Capital outlay	10·9	lakhs.
Total revenue in eight years	10·928	,,
Average annual revenue	1·366	,,
Ratio $\frac{\text{Average annual revenue}}{\text{Capital outlay}}$	$\frac{1·366}{10·900}$	= 12·5 per cent.

(3)

(3) (c) CONSTRUCTION OF A THERMAL ELECTRIC POWER STATION AT BEZWADA.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
XVI. Electricity—Reserved.	58. Capital outlay on Hydro-Electric Schemes —Bezwada Thermal Station.	Construction of a thermal electric power station at Bezwada and transmission lines to important load centres in the Kistna and West Godavari districts.	100

Explanatory note.

The Chief Engineer for Electricity has submitted a scheme for the rection of a central electric power station at Bezwada and supply of ›ower in bulk at important load centres in the surrounding area. The ›ower station will consist of one 300 K.W. (oil engine) set and two ,000 K.W. (turbo) sets initially, to be increased by one 1,000 K.W. et according to future demand. High tension transmission lines will ›e constructed connecting Bezwada, Gudivada, Masulipatam and Ellore. At Bezwada and Masulipatam, the municipal councils are ow generating and supplying energy to the public within their resective areas. The latest inspection reports on the two municipal ndertakings are not very satisfactory. As regards Gudivada and llore, licences have been granted to private companies for generation ıd supply of power. At Ellore, the licensees have just commenced or re about to commence supply from a small unit. At Gudivada, the censees have not yet commenced construction. The municipal coun-.ls of Bezwada and Masulipatam and the other two private licensees ferred to will be asked to change over to Government bulk supply ıd negotiations with them will be started soon.

In submitting the scheme the Chief Engineer has remarked as follows:—

> "The existing electricity supply in the Bezwada area is not adequate to take care of any enquiries from important industrialists and others and should be improved. It would be desirable to co-ordinate the activities of the neighbouring small licensees by concentrating the generation of electrical energy into one central station and transmitting it in bulk to all areas within an economic radius "

It is proposed that the Electricity department of Government should manage the municipal distribution schemes on behalf of the councils on the usual terms for a minimum period of three years or until the concerns are placed on a normal working basis.

The scheme is estimated to cost Rs. 17·35 lakhs initially and Rs. 25·00 lakhs within a period of 10 years. The gross revenue is expected to be Rs. 0·78 lakh in the first year of operation increasing to Rs. 5·20 lakhs by the tenth year. A return of 6·46 per cent is expected on the sum at charge in the tenth year of operation as shown in the financial forecast appended to this note.

The scheme can easily be expanded to include transmission lines to Guntur, Tenali, Bapatla and Repalle in the Guntur district, the Bezwada station capacity being correspondingly increased. This further stage is somewhat uncertain at present owing to the difficulty anticipated in making satisfactory arrangements with the licensees in Guntur district. Provision has not therefore been made for it initially but it can be taken up whenever circumstances are favourable at an additional estimated cost of Rs. 12·4 lakhs at the tenth year and the whole scheme is then estimated to give a net return of 6·93 per cent.

The financial statement is based on the Pykara rates as they were prior to 1935 plus 25 per cent. The average overall rate for bulk supply will work out to 1·0 anna per unit in the first year diminishing gradually to 0·8 anna in the tenth year as power consumption increases. The average rates for larger industries will vary from 0·70 to 0·65 anna per unit. The Chief Engineer is of the opinion that considerable development is bound to take place on the advent of cheap power from the proposed scheme.

As the scheme is expected to be remunerative, it is proposed to take it up for execution during the current year. A sum of Rs. 2,56,500 is required in the current year to be distributed as follows:—

	RS.
Works	2,40,000
Establishment	15,000
Tools and plant	1,500
	2,56,500

It is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under " Grant XVI—Electricity—Reserved " and to provide the balance by reappropriation of savings anticipated under the grant.

Financial forecast.

(1) ...of operation.	(2) Capital outlay up to the year.	(3) Capital outlay during the year.	(4) Interest at 6 per cent on capital outlay during year plus half capital outlay during the year.	(5) Generation operation and maintenance costs.	(6) Depreciation	(7) Total expenses (5) plus (6).	(8) Gross revenue.	(9) Net revenue.	(10) Net return on capital.	(11) Surplus after deducting interest charges.	(12) Accumulated surplus.
	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	PER CENT.	RS. LAKHS.	RS. LAKHS.
...uction period.	17·35	..	..	..	..	..	..	..	..	..	0·85*
1	17·35	..	1·041	0·76	..	0·76	0·78	0·02	0·12	— 1·021	— 1·871
2	17·35	..	1·041	1·15	..	1·15	1·55	0·40	2·30	— 0·641	— 2·512
3	17·35	4·00	1·161	1·39	..	1·39	2·03	0·64	3·70	— 0·521	— 3·033
4	21·35	..	1·281	1·63	..	1·63	2·52	0·89	4·17	— 0·391	— 3·424
5	21·35	..	1·281	1·88	..	1·88	3·03	1·15	5·38	— 0·131	— 3·555
6	21·35	3·18	1·376	2·04	0·573	2·613	3·53	0·917	4·30	— 0·459	— 4·014
7	24·53	..	1·472	2·30	0·613	2·913	4·00	1·087	4·42	— 0·385	— 4·399
8	24·53	0·47	1·486	2·45	0·619	3·069	4·37	1·301	5·30	— 0·185	— 4·584
9	25·00	..	1·500	2·57	0·625	3·195	4·82	1·625	6·50	+ 0·125	— 4·459
10	25·00	..	1·500	2·70	0·625	3·325	5·20	1·875	7·50	+ 0·375	— 4·084
		Total ..	13·139	18·87	3·055	21·925	31·83	9·905			

* Interest during construction period—

	LAKHS.
Capital outlay during 10 years ..	= 25·00
Arrears of simple interest ..	= 4·084
Sum at charge ..	= 29·084
Net revenue in the tenth year ..	= 1·875
Net return ..	$= \frac{1\cdot875}{29\cdot084} \times 100$
	= 6·46 per cent

APPENDIX XIII.

[Vide item VII (4) at page 85 supra.]

(4) PERMANENT APPOINTMENT OF A LAY SECRETARY FOR THE CITY HOSPITALS AND THE KING INSTITUTE, GUINDY.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
XIX. Medical —Reserved and Transferred.	32. b. Medical—Hospitals and Dispensaries—Transferred—A. Presidency Hospitals (excluding the Indian Medical School)—		
	1. Pay of Officers—Voted	Lay Secretary (Rs. 1,050 per mensem).	100
	2. Pay of Establishments —Voted.	One peon (Rs. 12—1—17).	
	3. Allowances and Honoraria—Voted—Other compensatory.	House rent allowance to Lay Secretary (Rs. 100 per mensem). Presidency allowance for peon—Rs. 2-8-0 per mensem.	

Explanatory note.

In connexion with retrenchment proposals it was suggested that an examination of the internal economy of selected medical institutions might reveal the possibility of effecting savings. In order to carry out this suggestion the Government decided to appoint a special officer and, in June 1935, they sanctioned the appointment of a Lay Secretary on Rs. 750 per mensem with a house rent allowance of Rs. 100 per mensem and a conveyance allowance of Rs. 75 per mensem. The following duties were assigned to the officer:—

"The Lay Secretary will be in charge of the non-technical organization of the administration of the Government hospitals in the City of Madras and of the King Institute, Guindy. The Surgeon-General will determine the extent of the duties which should be transferred to the Lay Secretary and the conditions subject to which those duties should be discharged. The Lay Secretary should make a thorough investigation of the possibilities of reducing the expenditure in every branch of the administration under his charge. His investigation should cover such matters as the demand and issue of stores, medical and non-medical including diet articles, and he should submit proposals for prescribing standards under the various items of expenditure. He should enquire and report whether

the patients get the correct quantity of diet and that it is of the prescribed quality. He should promptly bring to the notice of the Surgeon-General, cases of irregularities, wastage, loss and misuse, if any. For this purpose he should visit the institutions under his charge frequently. The Lay Secretary will be given free access to all parts of the institutions for the discharge of his duties."

The Surgeon-General recommended that Lieut.-Col. H. G. Dyer, R.A.S.C. (Retired), should be appointed as Lay Secretary. This officer had worked as Lay Secretary under the Bombay Government for two years on Rs. 1,000 per mensem. That Government proposed to continue the appointment for another three years on Rs. 1,200—50—1,500 but Lieut.-Col. Dyer refused to accept the appointment on terms offered to him. He carried out his work in Bombay with great success and seemed in every way well-fitted for the work in this Presidency. The Surgeon-General's recommendation was, therefore, accepted and Lieut.-Col. Dyer was appointed as Lay Secretary for a period of one year. (The matter was reported to the Finance Committee at its meeting held on 7th October 1935.) The officer joined the appointment on 17th July 1935, but resigned it with effect from 14th March 1936.

2. During the period of his appointment, Lieut.-Col. Dyer carried out a detailed investigation into the internal economies of the hospitals in Madras City and early in 1936, he submitted a report suggesting various methods for effecting economy. They related to the following matters:—

(i) Revision of the existing system of hospital accounts on the basis of a system of the "Revised Uniform System of Hospital Accounts recommended by the Governing Body of King Edward's Hospital, London."

(ii) Preparation of statistical tables of expenditure for in-patients and out-patients separately with a view to lay down definite standards of expenditure.

(iii) Debit of the cost of certain articles supplied to hospitals to the hospital accounts.

(iv) Possibility of increasing hospital receipts from patients.

(v) Control of expenditure on diet and supervision of diet.

(vi) Economy in the use of and control over the expenditure on drugs and dressings.

(vii) Reduction in expenditure in the purchase of certain apparatus.

(viii) Control of expenditure on consumption of water and electric energy.

(ix) Opening of a central laundry for all city hospitals.

(x) Opening of a dairy farm.

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Further investigation might reveal other possibilities of effecting economy. It might be possible to combine the stores departments in the Medical College, Madras, and the General Hospital, Madras. Some of the recommendations might be applied to hospitals in the mufassal. In order to investigate further and carry out these proposals, it is necessary to have the services of an experienced officer.

Lieutenant Colonel Dyer was of the opinion that there was need for closer supervision in the Government General Hospital, Madras, than could be exercised by a Superintendent who has to attend to the administration of the hospital in addition to his professional duties. The number of patients dealt with in the General Hospital is equal to that of the largest hospital in Great Britain, i.e., the London Hospital. There is therefore need for the appointment of a whole-time officer to be in charge of the non-technical organization of the hospital. It is expected that such an officer will be able to effect economy if he is appointed, not merely in an advisory capacity, but is entrusted with regular administrative work. He will work under the control of the Superintendent of the hospital.

3. In the circumstances stated in paragraph 2 above, it is considered necessary to renew the appointment of the Lay Secretary. One of the reasons which led to the resignation of Lieut.-Col. Dyer was inadequate pay. The Surgeon-General has suggested that Lieut.-Col. Dyer, who has gone to England, might be re-appointed as Lay Secretary. It is proposed to offer him a pay of Rs. 1,050 per mensem with a house rent allowance of Rs. 100 per mensem. He will also be allowed a first-class sea passage from England to India and back and the leave concessions ordinarily granted to officers who are recruited on contract for two years or less. If he accepts the offer, he will be appointed for *a period of two years in the first instance. If he rejects the offer,* another suitable person will be selected, if possible, on a lesser rate of pay.

4. The expenditure in connexion with the proposals works out to Rs. 14,000 ultimately and Rs. 5,800 in 1936–37. It can be met from the sanctioned amount for the current year. As the appointment of a Lay Secretary to be in charge of regular administrative work constitutes a new service, it is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant XIX—Medical—Reserved and Transferred."

Appendix XIV.

[Vide item VII (5) at page 99 supra.]

(5) GRANTS FOR WATER-SUPPLY TO THE VAYALPAD PANCHAYAT AND VIZAGAPATAM MUNICIPALITY.

Grant number.	Head of account.	Items of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
XX. Public Health—Transferred.	33.b. Public Health—Grants for Public Health purposes—Transferred.	(1) Vayalpad Panchayat Board—Water-supply scheme.	100
	b. B. 1 Grants for water-supply and drainage purposes—Muffasal water-supply and drainage.	(2) Vizagapatam water-supply improvement scheme.	100

Explanatory note.

(1) *Vayalpad water-supply scheme.*—The Sanitary Engineer has submitted to Government the detailed plans and estimates for a protected water-supply scheme for the Vayalpad Panchayat in Chittoor district. The estimated cost of the scheme is Rs. 41,000 to instal and Rs. 1,500 per annum to maintain. The Panchayat Board has agreed to finance the scheme on the usual half grant basis, with the help of a contribution of Rs. 7,500 from the Chittoor District Board. The Sanitary Engineer has reported that if immediate orders are issued sanctioning the execution of this scheme, an expenditure of Rs. 3,000 can be incurred by the end of the current financial year. As panchayat water-supply schemes have generally been very much delayed, it has been decided to treat them as special cases. It is therefore proposed to provide funds for this work by moving a supplementary demand for a token grant of Rs. 100 under Grant XX—Public Health—Transferred, the balance of Rs. 1,400 being met by reappropriation.

(2) *Vizagapatam water-supply improvement scheme.*—This scheme is estimated to cost Rs. 6,14,000 to instal and Rs. 13,450 annually to maintain. The Vizagapatam Municipal Council is in a position to finance the scheme with the help of a half-grant from Government. The plans and estimates for the scheme are under the consideration of Government. In view of the urgency of the improvements, the Council wants the execution of the scheme to be taken up in the current year itself. The first work to be carried out in connexion with the execution of the scheme is the acquisition of land required for the head-works and pumping main. The cost of the acquisition is estimated at Rs. 35,000 including provision for contingencies, etc. The Government's share of the cost comes to Rs. 17,500. It is proposed to acquire the site for the head-works, etc., in the current year itself and to move a supplementary demand for a token grant of Rs. 100 under Grant XX—Public Health—Transferred, the balance of Rs. 17,400 being met by reappropriation.

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APPENDIX XV.

[Vide item VII (6) at page 105 supra.]

(6) ORGANIZATION OF A PROVINCIAL MARKETING SOCIETY.

Grant number. (1)	Head of account. (2)	Items of expenditure. (3)	Amount of supplementary grant required in 1936–37. (4)
			RS.
XXIII. Co-operative Societies—Transferred.	24. c. Agriculture—Co-operative Credit—B. Deputy and Sub-Deputy Registrars.	Pay of Sub-Deputy Registrar of Co-operative Societies who will be Secretary—Rs. 100—5/2—125 (115).	100
	2. Pay of Establishments—Voted—Temporary.	Pay of outdoor Assistant Senior Inspector on Rs. 75—90 (84-2/3). One clerk on Rs. 30—55 (42-1/12). One typist on Rs. 30—55 (42-1/12). Two peons on Rs. 12—17 each per mensem (14·7).	
	3. Allowances and Honoraria—Other compensatory.	Madras House allowance to Sub-Deputy Registrar at Rs. 15, and to Senior Inspector at Rs. 12½. Presidency allowance to clerk and typist at Rs. 6½ and to peons at Rs. 2½.	
	5. Grants-in-aid	Subsidy to the society to cover expenditure on rent, pay of godown-keepers, etc.	

Explanatory note.

In the conference of officials and non-officials summoned by the Registrar of Co-operative Societies in March 1936, it was unanimously resolved that a Provincial Marketing Society should be organized with the object of stimulating and co-ordinating the work of the various loan and sale societies; it was also intended that it should serve as an information bureau to them and arrange for the sale of the surplus produce of the societies in important market centres. It was suggested by the conference that the society should start with the marketing of perishables and establish sale depots in Madras and other places. The necessity for such a central society for giving information to loan and sale societies as to the places of production of various food-stuffs, time for purchase and places for sale of surplus produce has been felt for some time past and the Registrar has accordingly proposed the organization of a Provincial Marketing Society at Madras to act as a link between the various loan and sale societies and the stores, putting them in touch with market centres, places of production and prices

prevailing and has suggested that the society should take up the marketing of fruits to start with. Madras is the biggest market in the Presidency for oranges and about 52,640 railway maunds of oranges were received in Madras in 1934–35. There are however periods of scarcity and glut which lead to abnormally high and low prices. The export trade is in the hands of middlemen whom it is possible to eliminate and bring about an increase in the income of fruit-growers through the medium of a co-operative organization. The society will take up the marketing of plantains, mangoes, oranges and limes. The work of the society will comprise the collection of produce from fruit-growers and arrangement for the sale in the city.

Propaganda is necessary to induce individual fruit-growers or associations of them to send their produce direct to the central society. The society will only act as an agent of the producers and will function as a wholesale dealer. The risk of any loss on account of damage, etc., of the produce will be borne by members. The central society will maintain two godowns, one at Kotawalchavadi and the other at the fruit bazaar. The society will have to maintain certain minimum establishment but it will not be able to maintain it at its expense at least in the first three years; it has therefore been proposed by the Registrar that the Government should give the society a subsidy to cover the expenditure.

The Government consider that the formation of a central society is desirable and that it should be assisted in its early stages.

The help consists (1) in the provision of a minimum staff of one Sub-Deputy Registrar, one Senior Inspector, one clerk, one typist, two peons and (2) in the grant of a subsidy of Rs. 2,800 to enable the society—

(*a*) to rent an office and two fruit stalls; and

(*b*) to employ two godown-keepers and two peons for work at the godowns.

The Government will employ the staff as noted under head (1) above and make it available to the society and grant the society in addition a cash subsidy of Rs. 2,800 per annum to cover the expenditure on rent, etc., as noted in item (2) above. The total cost to Government per annum comes to about Rs. 7,100 and the expenditure during the current year will amount to Rs. 3,200. It is proposed to introduce the scheme during the current year by moving a demand for a supplementary grant for a token sum of Rs. 100 under Grant XXIII—Co-operative Societies. The balance required in the current year (*viz.*, Rs. 3,100) will be met by reappropriation.

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APPENDIX XVI.

[Vide item VIII (1) at page 106 supra.]

NOTIFICATION.

Fort St. George, March 28, 1936

(G.O. No. 1305, *L. & M.).*

Whereas the limits of the territorial jurisdictions of the Ganjam and Chicacole District Boards as defined in Local Self-Government Department Notification No. 10, dated the 6th January 1936, published at page 2 of Part I-A of the *Fort St. George Gazette* of the 7th January 1936, are not in conformity with the boundary of the new Orissa Province as finally settled:

And whereas in the opinion of the Governor acting with Ministers, the said limits should be altered so as to be in conformity with the boundary of the said Orissa Province:

Now therefore, in exercise of the powers conferred by clauses (i) and (ii) of sub-section (3) of section 3-A of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Governor acting with Ministers is hereby pleased to direct that with effect on and from 1st April 1936, the territorial jurisdiction of the Ganjam and Chicacole District Boards shall be as shown in Schedules A and B below respectively.

SCHEDULE A.

DESCRIPTION OF THE BOUNDARY OF THE LOCAL FUND DISTRICT OF GANJAM.

Part I.

Areas comprised in the Local Fund district of Ganjam—

(i) The following areas in the Ganjam district, viz., the taluks of Ghumsur, Aska, Surada (Plains) Kodala and Chatrapur;

(ii) so much of the taluks of Ichchapur and Berhampur as lies to the north and west of the line described in Part II below; and

(iii) so much of the Parlukimedi estate as lies to the north and east of the said line.

Part II.

The boundary follows a line which starts in latitude 19° 5′ (approximate), at the point on the coast of the Bay of Bengal where the boundary of Patisonnapuram village, after following the coast from north to south turns inland. From that point it runs along the existing village boundary (so as to include the village in the Local Fund district of Ganjam) until it meets the boundary of the Berhampur taluk at a sharp re-entrant angle in that boundary; thence along the northern arm of that taluk boundary until it meets the south-eastern boundary of Chikati estate; thence along that estate boundary westwards and southwards until it again meets the boundary of the Berhampur taluk; thence along that taluk boundary south-westwards until it meets the boundary of Jalantra estate; thence along that estate boundary westwards until it meets the boundary of the Ganjam Agency; thence south-westwards along the boundary of that Agency until it meets the boundary of the Parlakimedi estate; thence eastwards and sonthwards along that boundary to point where southern boundary of Pedda Hamsa village leaves estate boundary; thence through the estate to the south-west corner of the village of Pedda Murangi along existing village boundaries so as to include in the Local Fund district of Ganjam the villages of Pedda Hamsa, Labanyogodo, Baduobado, Mamidipalle and Pedda Marangi (including Lavanyakotta Reserved forest); from the south-west corner of Pedda Murangi along the west boundary of the village of Mara, the north-western forest boundary of Banapuram Reserved forest, the northern boundary of the village of Bagadalla and the northern boundary of the village of Surjani to the most northerly point (approximately) of the last-mentioned boundary; thence in a northerly direction for a distance of about half a mile across the saddle in the hills to the south-eastern corner of the village of Kosali; thence to the point where the south-west corner of the village of Omora meets the Mahendratanaya river along the existing village boundaries so as to include in the Local Fund district of Ganjam the villages of Kosali, Jangalapadu, Saradopuram, Agarakhandi, Bhinnola, Bhamidigam and Omora; from the last-mentioned point in a westerly direction along the middle line of that river to the south-west corner of the village of Kaviti Khaspa; thence to the point where the western boundary of the village of Singupuram Agraharam meets the southern forest boundary of the Karlanda Reserved forest along existing village boundaries so as to include in the Local Fund district of Ganjam, the villages of Kaviti Khaspa, Cheruvudiguva, Venkatapuram, Peddakhinga (I), Mukkidipadu (I), Ranipeta, Siddamanugu (I), and Singupuram Agraharam; thence along the southern forest boundary of Kurulanda Reserved forest until it meets the boundary of the village of Minigam; thence to the point where the eastern boundary of the village of Kinigam meets the Vamsadhara river along existing village boundaries so as to include in the Local Fund district of Ganjam Kurlanda Reserved forest, the villages of Minigam, Sitapuram, Kharada, Vistala, Hadobhangi, Jayapuram, Nilapuram and Kinigam; thence in a north-westerly direction along the middle line of the river until it meets the boundary of the Ganjam district; thence along that district boundary northwards and eastwards until it meets the boundary of the Parlakimedi Maliahs; thence along the southern boundary of those maliahs until it meets the point where the boundary enters the Parlakimedi estate.

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SCHEDULE B.

DESCRIPTION OF THE BOUNDARY OF THE LOCAL FUND DISTRICT OF CHICACOLE.

Part I.

Areas comprised in the Local Fund district of Chicacole—

(i) The following areas in the Ganjam district, viz., the taluks of Chicacole (including the sub-taluk of Narasannapeta) and Tekkali;

(ii) so much of the taluks of Ichchapur and Berhampur as lies to the south and east of the line described in Part II below; and

(iii) so much of the Parlakimedi estate as lies to the south and west of the said line.

Part II.

The boundary follows a line which starts in latitude 19° 5′ (approximate) at the point on the coast of the Bay of Bengal where the boundary of Patisonnapuram village after following the coast from north to south, turns inland. From that point it runs along the existing village boundary (so as to exclude the village from the Local Fund district of Chicacole) until it meets the boundary of the Berhampur taluk at a sharp re-entrant angle in that boundary; thence along the northern arm of that taluk boundary until it meets the south-eastern boundary of Chikati estate, thence along that estate boundary westwards and southwards until it again meets the boundary of the Berhampur taluk; thence along that taluk boundary south westwards until it meets the boundary of Jalantra estate; thence along that estate boundary westwards until it meets the boundary of the Ganjam Agency; thence south westwards along the boundary of that Agency until it meets the boundary of the Parlakimedi estate; thence eastwards and southwards along that boundary to point where northern boundary of Goppili village leaves the estate boundary; thence through the estate to the south-west corner of the village of Mara along the existing village boundaries so as to include in the Local Fund district of Chicacole the villages of Goppili, Gokarnapuram, Kodukoligam and Mara; from the south-west corner of Mara along the north-western forest boundary of Banapuram Reserved forest, the northern boundary of the village of Bagadala and the northern boundary of the village of Surjani (so as to include the said forest and both the villages in the Local Fund district of Chicacole) to the most northerly point (approximately) of the last-mentioned boundary; thence in a northerly direction for a distance of about half a mile across the saddle in the hills to the south-eastern corner of the village of Kosali; thence along the southern boundary of that village and of Jangalapadu village; thence to the point where the north-western corner of the boundary of Sundarada village meets the Mahendratanaya river along existing village boundaries so as to include in the Local Fund district of Chicacole the villages of Gangarajapuram, Meliyaputtu, Kusamala, Bosondra, and Sundarada; from the last-mentioned point in a westerly direction along the middle line of that river to the south-western corner of the village of Kaviti Khaspa; thence to the most westerly point (approximately) of the village of Savara-Siddamanugu along existing village boundaries so as to include in the Local Fund district of Chicacole the villages of Patapatnam, Gopalapuram, Attisurikavita, Stuartpeta (including Nutilova Reserved forest) Adinarayanapeta, Savara-Siddamanugu; thence to the point where the western boundary of the village of Singupuram Agraharam meets the southern forest boundary of the Kurlanda Reserved forest; thence along the northern boundary of the Alathi hill until it meets the boundary of the village of Dimila; thence to the point where the north-western boundary of the village of Kadumu meets the Vamsadhara river along existing village boundaries so as to include in the Local Fund district of Chicacole-Alathi hill, Dimila, Khurigam, Viranarayanapuram, Matala-Kamsalyapuram, Boloda, Kadumu; thence in a north-westerly direction along the middle line of the river until it meets the boundary of the Ganjam district; thence along that district boundary westwards and southwards until it meets Chicacole taluk.

T. B. RUSSELL,
Secretary to Government.

APPENDIX XVII.

[Vide item VIII (2) at page 106 supra.]

G.O. No. 461, Development, dated 21st March 1936.

READ—the following papers:—

I

G.O. No. 163, Development, dated 4th February 1936.

II

Official Memorandum No. 1233-III/36-1, Development, dated 12th March 1936.

[The Madras Commercial Crops Markets Act, 1933—Draft amendments to rules 4 and 7 of the rules under section 18 of the Act. *Reference.*—G.O. No. 163, Development, dated 4th February 1936.]

The attention of the Director of Agriculture is invited to the notification published in the Government Order referred to above, and he

s requested to state whether he has received any objections or sugges-ions and, if so, to forward them together with his remarks thereon, at a very early date.

(By order)

R. RAMASWAMI AYYANGAR,
Assistant Secretary to Government.

To the Director of Agriculture.

III

Letter from M.R.Ry. Rao Bahadur D. ANANDA RAO Garu, B.SC., Director of Agriculture, to the Secretary to Government, Development Department, dated Madras, the 17th March 1936, C. No. 479/35.

[*Reference.*—G.O. No. 163, Development, dated 4th February 1936 and Government Memorandum No. 1233-III/36-1, dated 12th March 1936.]

No objections or suggestions have been received. The draft amendments may be confirmed.

Order—No. 461, *Development, dated* 21*st March* 1936.

The Superintendent, Government Press, is requested to publish the following notification in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by section 18 of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933), the Governor acting with Ministers is hereby pleased to make the following amendments to the Madras Commercial Crops Markets Rules, 1935, published with Development Department Notification No. 144, dated the 13th March 1935, at pages 589–594 of Part I of the *Fort St. George Gazette*, dated the 9th April 1935, as susequently amended, the same having been previously published as required by clause (*a*) of sub-section (4) of the said section 18.

RULES.

1. At the end of the second paragraph of rule 4 of the said rules, the following sentence shall be added, namely:—

"He shall recover the cost of the election from the Market Committee."

2. For the opening paragraph of rule 7 of the said rules, the following paragraph shall he substituted, namely:—

"The expenses of the election to the Market Committee and all expenses incidental thereto shall be a first charge on the Market Committee Fund. After paying all such expenses to the election authority, the Market Committee shall, so far as funds at its disposal permit but subject to the provisions of these rules, provide . . ."

(By order of the Government, Ministry of Public Works)

C. A. HENDERSON,
Secretary to Government.

To the Superintendent, Government Press.
,, Director of Agriculture.
,, Director of Industries.
,, Registrar of Co-operative Societies.
,, Board of Revenue.
,, Collectors of Coimbatore, Tinnevelly, Bellary and South Arcot.
,, Government of India, Department of Industries and Labour (with C.L.).
,, Secretary, Indian Central Cotton Committee (with C.L.).
,, Secretary, Imperial Council of Agricultural Research (with C.L.).
,, Secretary, Legislative Council.
,, Law (Drafting) Department.

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Appendix XVIII.

[Vide item VIII (3) at page 106 supra.]

G.O. No. 388, Development, dated 10th March 1936.

Read—the following paper:—

G.O. No. 705, Development, dated 13th May 1935.

Order—No. 388, Development, dated 10th March 1936.

In *Notification No. 196, dated* 13th May 1935, published at page 761–762 of Part I of the *Fort St. George Gazette,* dated 21st May 1935 the Government, under sub-sections (1) and (2) of section 65 of th Madras Co-operative Societies Act (VI of 1932), published, as require by sub-section (3) of the said section, certain amendments to the rule issued under the Act. The Government have considered the objec tions and suggestions received with reference to paragraph 2 of th notification and are pleased to confirm the draft amendments subject t certain alterations. The appended notification will be published in th *Fort St. George Gazette.*

(By order of the Government, Ministry of Public Works)

C. A. Henderson,
Secretary to Government.

To the Registrar of Co-operative Societies.
,, Superintendent, Government Press (for publication of notification in the *Fort St. George Gazette*).

Copy to other Local Governments and Administrations except North-West Frontier Province (with C.L.).
,, the Secretary, Legislative Council (for placing on Council Table).

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sub-sections (1) and (2) of section 65 of the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), the Governor acting with Ministers is hereby pleased to make the following amendments to the rules published with Development Department Notification No. 264, dated the 1st August 1933, at pages 1178–1185 of Part I of the *Fort St. George Gazette,* dated the 1st August 1933, as subsequently amended, the same having been previously published as required by sub-section (3) of the said section:—

Amendments.

1. In the definitions at the commencement of the said rules, for clauses (*d*) and (*e*) defining respectively the expressions 'decree-holder' and 'defaulter,' the following clauses shall be substituted, namely:—

"(*d*) 'decree' means any decree, order, decision or award referred to in section 57-A of the Act;

(*dd*) 'decree-holder' means any society or any person (including the Government) holding a decree as defined in clause (*d*);

(*e*) 'defaulter' means any society against which or any person against whom, a decree as defined in clause (*d*) has been obtained."

2. In the said definitions, in clause (*g*) defining the expression 'Registrar of the district,' for the word and figures 'section 28,' the word, figures and letter '*section 57-A*' shall b

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3. After sub-rule (5) of rule VII of the said rules, the following sub-rule shall be added, namely:—

"(6) Every society with limited liability shall prepare a list of its members as on the last day of each co-operative year, and furnish a copy of the same to the Registrar within one month from the close of such year or within such further time as the Registrar may, by general or special order, allow. The list shall also be kept open at the office of the society, during office hours, for inspection by any member of the society." Annual publication of a list of members.

4. After rule XVIII of the said rules, the following rule shall be inserted, namely:—

"XVIII-A. No member of a society who has been expelled under the provisions of its by-laws shall be eligible for re-admission as a member of that society or for admission as a member of any other society, for a period of two years from the date of such expulsion. Restriction on readmission of expelled member.

Provided that the Registrar may, in special circumstances, sanction the readmission or admission within the said period of any such member, as a member of the same society or of any other society, as the case may be."

5. In sub-rule (1) of rule XXII of the said rules, for the word and figures 'section 28' the word, figures and letter 'section 57-A' shall be substituted.

6. After sub-rule (5) of the said rule XXII, the following sub-rule shall be inserted, namely:—

"(5-A) (i) Where the property to be attached consists of the share or interest of the defaulter in movable property belonging to him and another as co-owners, the attachment shall be made by a notice to the defaulter, prohibiting him from transferring the share or interest or charging it in any way. Attachment of share or interest in movables.

(ii) Where the property to be attached is a negotiable instrument not deposited in a court, nor in the custody of a public officer, the attachment shall be made by actual seizure and the instrument shall be brought to the office of the Registrar of the district ordering the attachment and be held subject to his further orders. Attachment of negotiable instruments.

(iii) Where the property to be attached is in the custody of any court or public officer, the attachment shall be made by a notice to such court or officer, requesting that such property and any interest or dividend becoming payable thereon may be held subject to the further orders of the Registrar of the district issuing the notice: Attachment of property in custody of Court or Public officer.

Provided that, where such property is in the custody of a court or Registrar of another district, any question of title priority arising between the decree-holder and any other person, not being the defaulter, claiming to be interested in such property by virtue of any assignment, attachment or otherwise, shall be determined by such court or Registrar.

Explanation.—In this sub-rule, 'public officer' includes a liquidator appointed under section 47 of the Act."

7. Sub-rule (6) of the said rule XXII shall be renumbered as sub-rule (6-A) and the following shall be inserted as sub-rule (6), namely:—

"(6) (i) Where the property to be attached is a decree either for the payment of money or for sale in enforcement of a mortgage or charge, the attachment shall be made— Attachment of decree.

(a) if the decree sought to be attached was passed by a Registrar or by any person to whom a dispute was transferred by a Registrar under section 51 of the Act or by an arbitrator or arbitrators within the local limits of the jurisdiction of a Registrar, then by the order of the Registrar concerned;

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(b) if the decree sought to be attached was passed by a court and has not been sent for execution to any other court, then by the issue to such court of a notice by the Registrar concerned, requesting such court to stay the execution of its decree unless and until—

(A) the Registrar aforesaid cancels the notice, or

(B) the holder of the decree sought to be executed, or the judgment-debtor, applies to the court receiving such notice to execute its own decree; and

(c) if the decree sought to be attached is pending execution in a court which did not pass the same, then by the Registrar of the district seeking to attach such decree in execution, sending the notice referred to in sub-clause (b) to such court, whereupon the provisions of that sub-clause shall apply in the same manner as if such court had passed the decree and the said notice had been sent to it in pursuance of the said sub-clause.

(ii) Where a Registrar makes an order under sub-clause (a) of clause (i) or when a court receives an application under sub-head (B) of sub-clause (b) of the said clause, such Registrar or court shall, on the application of the decree-holder who has attached the decree or his defaulter, proceed to execute the attached decree and apply the net proceeds in satisfaction of the decree sought to be executed.

(iii) The holder of a decree sought to be executed by the attachment of another decree of the nature specified in clause (i) shall be deemed to be the representative of the holder of the attached decree and be entitled to execute such attached decree in any manner lawful for the holder thereof.

(iv) Where the property to be attached in the execution of a decree is a decree other than a decree of the nature referred to in clause (i), the attachment shall be made by the issue of a notice by the Registrar of the district to the holder of such decree, prohibiting him from transferring or charging the same in any way; and where such decree has been passed by any court or by a different Registrar or by a person to whom a dispute was transferred under section 51 of the Act by a different Registrar or by an arbitrator or arbitrators in another district, also by sending to such court or to the Registrar of the district concerned, as the case may be, a notice to abstain from executing the decree sought to be attached until such notice is cancelled by the Registrar who sent the notice.

(v) The holder of a decree attached under this sub-rule shall give the court or the Registrar of the district executing the decree, such information and aid as may reasonably be required.

(vi) On the application of the holder of a decree sought to be executed by the attachment of another decree, the Registrar of the district making an order of attachment under this sub-rule shall give notice of such order to the judgment-debtor bound by the decree attached; and no payment or adjustment of the attached decree made by the judgment-debtor in contravention of such order after receipt of notice thereof, either through the said Registrar or otherwise, shall be recognized so long as the attachment remains in force."

Private alienation of property after attachment to be void.

8. After sub-rule (13) of the said rule XXII, the following sub-rule shall be inserted, namely:—

"(13-A) Where an attachment has been made under these rules, any private transfer or delivery of the property attached or of any interest therein and any payment to the defaulter of any debt, dividend or other moneys contrary to such attachment, shall be void as against all claims enforceable under the attachment.

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Explanation.—For the purposes of this sub-rule, claims enforceable under an attachment include claims for the rateable distribution of assets under sub-rule (20)."

9. In the said rule XXII, the following shall be added as sub-rules (19) and (20), namely:—

"(19) Where any property has been attached in execution of a decree, but by reason of the decree-holder's default, the Registrar of the district is unable to proceed further with the application for execution, he shall either dismiss the application or for any sufficient reason adjourn the proceedings to a future date. Upon the dismissal of such application, the attachment shall cease. Determination of attachment.

(20) (*a*) Where the sale officer attaches or has attached under these rules, any property, not in the custody of any court, which is already under attachment made in execution of a decree of any court, such court shall receive and realize such property and shall determine claims thereto and any objections to the attachment thereof: Attachment in execution of decrees of several courts and rateable distribution of assets.

Provided that where the property is under attachment in the execution of decrees of more courts than one, the court which shall receive or realize such property and shall determine any claim thereto and any objection to the attachment thereof shall be the court of the highest grade, or where there is no difference in grade between such courts, the court under whose decree the property was first attached.

(*b*) Where assets are held by the sale officer and before the receipt of such assets, demand notices in pursuance of applications for execution of decrees against the same defaulter have been received from more than one decree-holder and the decree-holders have not obtained satisfaction, the assets, after deducting the costs of realization, shall be rateably distributed by the sale officer among all such decree-holders in the manner provided in section 73 of the Code of Civil Procedure, 1908."

10. After the said rule XXII, the following rules shall be added, namely:— Attachment before judgment.

"XXIII. (1) Attachment of property under section 50 or sub-section (4) of section 51 of the Act shall be made in the manner provided in rule XXII. Mode of making attachments.

(2) Where a claim is preferred to property attached under sub-rule (1), such claim shall be investigated in the manner and by the authority specified in rule XXII. Investigation of claim to property attached before judgment.

(3) Where a direction is made for the attachment of any property under sub-rule (1), the Registrar of the district shall order the attachment to be withdrawn— Removal of attachment when security furnished or suit dismissed.

(*a*) when the party concerned furnishes the security required together with security for the costs of the attachment; or

(*b*) when the liquidator determines under clause (*b*) of sub-section (3) of section 47 of the Act that no contribution is payable by the party concerned; or

(*c*) when the Registrar passes an order under sub-section (1) of section 49 of the Act that the party concerned need not repay or restore any money or property or contribute any sum to the assets of the society by way of compensation; or

(*d*) when the dispute referred to in sub-section (1) of section 51 of the Act has been decided against the party at whose instance the attachment was made.

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Attachment before judgment not to affect rights of strangers or bar decree-holder from applying for sale.

(4) Attachment made under sub-rule (1) shall not affect the rights existing prior to the attachment, of persons not parties to the proceedings in connexion with which the attachment was made, nor bar any person holding a decree against the person whose property is attached from applying for the sale of the property under attachment in execution of such decree.

Re-attachment not necessary if property is under attachment before judgment.

(5) Where property is under attachment by virtue of the provisions of this rule and a decree is subsequently passed against the person whose property is attached, it shall not be necessary upon an application for execution of such decree to apply for re-attachment of the property.

Procedure regarding amendment of by-laws.

XXIV. The following procedure shall be adopted in regard to amendments to the by-laws of a society:—

(i) Every amendment shall be made only by a resolution passed by a majority of the members present at a meeting of the general body of the members of the society.

(ii) No such resolution shall be valid unless notice of the amendment proposed has been given in accordance with the by-laws.

(iii) Every application made to the Registrar for the registration of an amendment shall be signed by the Secretary and two members of the Committee, and shall contain the following particulars:—

(*a*) The date of the general body meeting at which the amendment was made;

(*b*) the number of days' notice given to convene the general body meeting;

(*c*) the total number of members of the society on the date of such meeting;

(*d*) the number of members who formed the quorum for such meeting;

(*e*) the number of members present at such meeting; and

(*f*) the number of members who voted for the amendment.

Co-operative conferences and contributions to expenses thereof by societies.

XXV. No society shall contribute any money towards the expenses of any co-operative conference, unless such conference is held under the auspices of a society which is authorized by its by-laws to undertake the holding of such conferences. The society holding the conference shall keep separate accounts of the income and expenditure of such conference and such accounts shall be subject to audit by the Registrar or by some person authorized by him under section 37 of the Act.

Constitution and strength of committee of financing bank.

XXVI. (1) The proportion of individual members to society members on the committee of a financing bank and the maximum strength of the committee shall be determined by the Registrar in consultation with the committee of the bank.

(2) An individual member shall not be eligible for appointment as a member of the committee of a financing bank unless he holds such number of shares, or has invested in fixed deposits in such bank such amount, as may be fixed by the Registrar from time to time in consultation with the committee of such bank.

Disqualification for membership of committee.

XXVII. (1) No person shall be eligible for appointment as a member of the committee of any society, if he—

(*a*) is an applicant to be adjudicated a bankrupt or an insolvent or an uncertificated bankrupt or undischarged insolvent; or

(*b*) has been sentenced for any offence other than an offence of a political character or an offence not involving moral delinquency, such sentence not having been reversed or the offence pardoned; or

(*c*) is of unsound mind, a deaf mute or a leper; or

(*d*) is a paid employee of the society or of any other society not being a society composed exclusively of employees.

(2) A member of the committee of any society shall cease to hold his office as such, if he—

(a) applies to be adjudicated, or is adjudicated, a bankrupt or an insolvent; or

(b) is sentenced for any such offence as is described in clause (b) of sub-rule (1); or

(c) becomes of unsound mind, a deaf mute, or a leper; or

(d) becomes a paid employee of the society or of any other society not being a society composed exclusively of employees.

Provided that, where a person ceases to be a member of the committee under clause (b), he shall be restored to office for such portion of the period for which he was elected as may remain unexpired at the date of such restoration, if and when the sentence is annulled on appeal or revision and any person elected to fill the vacancy in the interim shall on such restoration vacate office.

XXVIII. A delegate of one society sitting on the committee of another society shall cease to be a member of such committee— *Term of office of member of committed who is a delegate of another society.*

(a) if the society which elected him as a delegate withdraws him or elects another delegate in his stead; or

(b) in case he was elected as a delegate by a society, on the supersession of the committee of such society under section 43 of the Act, provided that the person or persons appointed under the said section shall have power to nominate himself or one among them or any member of the society, to the committee of another society; or

(c) if the registration of the society of which he is the delegate is cancelled.

XXIX. Any officer of the society who appears as a legal practitioner— *Officer of society appearing as legal practitioner in certain cases to vacate office.*

(i) against such society or against any other society which is a member of the former society, or

(ii) (otherwise than in an honorary capacity) on behalf of such society or on behalf of any other society which is a member of the former society, shall be deemed to have vacated his office as such."

APPENDIX XIX.

[Vide item VIII (4) at page 106 supra.]

G.O. Ms. No. 731, Development, dated 8th May 1936.

READ—the following paper:—

G.O. Ms. No. 423, Development. dated 13th March 1936.

Order—No. 731, Development, dated 8th May 1936.

In Notification No. 105, dated 13th March 1936, published at page 323 of Part I of the *Fort St. George Gazette*, dated 17th March 1936, the Government under sub-sections (1) and (2) of section 65 of the

[27th August 19

Madras Co-operative Societies Act (VI of 1932), published as require by sub-section (3) of the said section an amendment inserting a ne rule XXV-A after rule XXV of the rules issued under the Act. N objections or suggestions were received by Government within th period allowed in the notification. The amendment published is hereb confirmed. The Superintendent, Government Press, is requested publish the appended notification in the *Fort St. George Gazette.*

(By order of the Government, Ministry of Medical Administration and Public Works)

C. J. PAUL,
Secretary to Government.

To the Registrar of Co-operative Societies.
,, Superintendent, Government Press (for publication of notification).
Copy to other Local Governments and Administrations except North-We Frontier Province (with covering letter).
,, the Secretary, Legislative Council (for placing on Council Table).

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sub-sections (1) and (of section 65 of the Madras Co-operative Societies Act, 1932 (Madr Act VI of 1932), the Governor acting with Ministers is hereby please to make the following amendment to the rules published with Develo ment Department Notification No. 264, dated the 1st August 193 at pages 1178–1185 of Part 1 of the *Fort St. George Gazette*, date the 1st August 1933, as subsequently amended, the same having bee previously published as required by sub-section (3) of the sa section :—

AMENDMENT.

After rule XXV of the said rules, the following rule shall b inserted, namely :—

Election and term of office of members of committee.

" XXV-A. (1) The by-laws of every society shall provide eithe that the term of office of all the members of its committee sha expire on the same date and at such yearly intervals as may be spec fied, or that a certain proportion of the members of its committ shall retire in each year on such date as may be specified. In th former case, all the members of the committee (including those electe in casual vacancies) whether representing societies or individua shall vacate their office on the date specified, irrespective of the dat on which they were elected as members of the committee. In the latte case, the members due for retirement in each year (including thos elected in their places in casual vacancies) shall vacate their offic on the date specified.

(2) The election of all the members of the committee or of certain proportion of them referred to in sub-rule (1) shall be hel on or before the date specified in the by-laws for the expiry of th term of office of the members. If, for any reason, the society fail to arrange for such election, the Registrar may extend such tern until such time within which the election should, in his opinion, b held."

7th August 1936]

APPENDIX XX.

[Vide item VIII (5) at page 106 supra.]

FINANCE DEPARTMENT.

LIST OF POSTS ON Rs. 500 PER MENSEM AND ABOVE CREATED DURING THE QUARTER ENDING 31ST MARCH 1936.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	(a) PERMANENT. *Nil.*		
	(b) TEMPORARY.		
	(i) *Extension of previous sanctions.*		
	RS.		
Public (Special) Department—			
Headquarters Sub-Collector and Additional District Magistrate, Ganjam.	Pay in the regular line.	Up to 31st March 1936.	Khan Bahadur Muhammad Humayun Sahib Badadur held the post.
Additional District and Sessions Judge, Madura.	Do.	Up to 17th April 1936.	M.R.Ry. R. Rangaswami Ayyar Avargal held the post up to 19th February 1936 and M.R.Ry. N. Venkataramayya Pantulu held the post thereafter.
Home Department—			
Additional District Munsif, Calicut.	I.C.S. cadre	Continuance for one year from 9th January 1936.	....
Additional Sub-Judge, Nellore.	650	Continuance for one year from 1st April 1934.	....
Legal Department—			
Assistant Secretary to Government, Law (Drafting) Department.	500—30)	One year from 1st January 1936 or until the formation of the Legal Department, whichever was earlier.	Sanctioned in G O. No. 2208, Public (Services), dated 23rd December 1935.
Local Self-Government Department—			
Special Engineer for Road Development.	District Board Engineer's scale Rs. 700 — 100 — 1,000 + 100 Special pay *plus* Madras house allowance (if admissible).	Six months from 1st April 1936.	G.O No. 1533, L. & M., dated 31st March 1936.
Finance Department—			
Assistant Secretary to Government, Finance Department.	500—50—800	For six months from 1st April 1936.	Post created in connexion with the examination of financial implications arising out of Reforms.
Public Works Department—			
Electricity Department—			
Executive Engineer (Civil), Mukurti Dam.	500—50/2—850	Till the end of 31st December 1936.	G.O. No. 2525 W., dated 22nd November 1935.
	(ii) *Posts newly created.*		
Public (Special) Department—			
Sub-Collector, first grade.	1,350 per mensem up to 6th April 1936 and 1,425 per mensem thereafter.	From 26th January 1936 to 30th April 1936.	M.R.Ry. Rao Bahadur A. A. Venkatarama Ayyar Avargal was placed on special duty as a nominated Member of the Legislative Assembly.
Officer on special duty.	1,500	From 28th January 1936 to the end of Delhi Session of the Legislative Assembly.	M.R.Ry. Diwan Bahadur R. V. Krishna Ayyar Avargal was placed on special duty as a nominated Member of the Legislative Assembly.
Additional Deputy Secretary, Finance Department.	Pay in the regular line.	From 2nd March 1936 to 15th April 1936.	Mr. D. W. Dodwell, I.C.S., held the post.
Home Department—			
Additional Judge, City Civil Court, Madras.	700	Sanctioned from the date of employment till the commencement of the summer recess for 1936.	....
Public Works Department—			
Special Architect to Government.	2,200	From 15th March 1936 to 29th January [illegible]	G.O. No. 686 W., dated 14th March 1936.

APPENDIX XXI.

[Vide item VIII (6) at page 106 supra.]

NOTIFICATION.

Fort St. George, May 15, 1936

(*G.O. No.* 593, *Home*).

In exercise of the powers conferred by sub-section (1) of section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931), the Governor acting with Ministers is hereby pleased to exempt from payment of the tax leviable under the said Act, for a maximum period of seven days at a time, one motor vehicle used by each of the staff officers specified in the schedule below of the Headquarters, Madras District, Bangalore, when they enter the Presidency of Madras on military duty, subject to the production of a pass bearing the signature of the Deputy Assistant Adjutant-General or Deputy Assistant Quartermaster-General.

SCHEDULE.

(1) Commander, Madras District
(2) General Staff Officer II.
(3) Deputy Assistant Adjutant-General.
(4) Deputy Assistant Quartermaster-General.
(5) Staff Captain, Auxiliary and Territorial Forces.
(6) Deputy Assistant Director of Ordnance Services.
(7) Commanding Royal Engineers.
(8) Assistant Director of Medical Services.

H. M. HOOD,
Secretary to Government.

APPENDIX XXII.

[Vide item VIII (7) at page 106 supra.]

NOTIFICATION.

Fort St. George, May 20, 1936

(*G.O. No.* 654, *Home*).

In exercise of the powers conferred by sub-section (1) of section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931), the Governor acting with Ministers is hereby pleased to notify that in respect of each of the following motor vehicles belonging to the Pudukkottai Darbar which were used on public roads in the Presidency of Madras during the month of February 1936, tax shall be paid at the reduced rate specified below:—

Register number and description of motor car.	Rate of tax.
1. Plymouth Sedan 6-cylinder car	Two-fifths of the quarterly tax.
1-B. Plymouth Seven-seater Sedan car	
7. Plymouth Sedan car	
6. Plymouth Tourer 4-cylinder car	

H. M. HOOD,
Secretary to Government.

APPENDIX XXIII.

[Vide item VIII (9) at page 106 supra.]

NOTIFICATION.

Fort St. George, June 30, 1936

(*G.O. Ms. No.* 1185, *Home*).

In exercise of the powers conferred by sub-section (1) of section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931), the Governor acting with Ministers is hereby pleased to exempt from payment of the tax leviable under the said Act, motor vehicles belonging to the members of the Southern Provinces Mounted Rifles, Auxiliary Force (India), resident in Travancore, for the period of their stay in British territory in connexion with their annual camp at Coimbatore in July 1936.

T. G. RUTHERFORD,
Secretary to Government.

27th August 1936]

APPENDIX XXIV.

[Vide item VIII (10) at page 106 supra.]

NOTIFICATION.

Fort St. George, July 7, 1936.

The adminstration of the Peddapuram Municipality has been unsatisfactory owing to the existence of faction in the Council. The Government are of opinion that the Council as at present constituted is incompetent to perform the duties imposed on it by law. They therefore direct under sub-section (1) of section 41 of the Madras District Municipalities Act, 1920, that the Peddapuram Municipal Council be superseded for a period of two years.

T. B. RUSSELL,
Secretary to Government.

APPENDIX XXV.

[Vide item VIII (11) at page 106 supra.]

NOTIFICATION.

Fort St. George, July 14, 1936.

Owing to the existence of faction and complete lack of financial responsibility on the part of the Council, the administration of the Walajapet Municipality has been unsatisfactory for some time past. The Government are therefore of opinion that the Council as at present constituted is incompetent to perform the duties imposed on it by law. They therefore direct under sub-section (1) of section 41 of the Madras District Municipalities Act, 1920, that the Walajapet Municipal Council be superseded for a period of two years.

T. B. RUSSELL,
Secretary to Government.

APPENDIX XXVI.

[Vide item VIII (12) at page 107 supra.]

G.O. No. 1007, Revenue, dated 5th May 1936.

READ—the following papers:—

G.O. No. 518, Revenue, dated 7th March 1936.

Reference from the Board of Revenue, No. G. 7894/35-1, dated 3rd January 1936.

Memorandum No. 98-E/36-3, dated 6th March 1936, to the Superintendent, Government Press.

Order—No. 1007, *Revenue, dated* 5*th May* 1936.

No objection or suggestion having been received in regard to the draft amendment to the rules under the Madras Survey and Boundaries Act, 1923, published at page 319 of Part I of the *Fort St. George Gazette*, dated the 17th March 1936, the amendment is now confirmed.

2. The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by clause (*c*) of sub-section (2) of section 26 of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), the

Governor in Council is hereby pleased to make the following amendment to the rules published with Revenue Department Notification No. 313, dated the 15th December 1925, at pages 2402–2405 of Part I of the *Fort St. George Gazette*, dated the 22nd December 1925, as subsequently amended.

In the said rules in the entry relating to the class of Survey officers empowered under section 11, contained in the schedule to the rule under the heading 'Rules under clause 2 (c)' for the words 'and Chairman of Municipal Councils' the words 'and the executive authorities of municipalities' shall be substituted.

3. A copy of the amendment made will be placed on the table of the Legislative Council.

(By order of the Governor in Council)

H. R. UZIELLI,

Secretary to Government.

To the Superintendent, Government Press (with paragraph 2 for publication of the notification).

,, Board of Revenue.

,, Legal Remembrancer's Department.

,, Librarian, Legislative Council Office.

APPENDIX XXVII.

[Vide item VIII (13) at page 107 supra.]

G.O. No. 1388, Revenue, dated 29th June 1936.

READ—the following paper:—

G.O. No. 865, Revenue, dated 17th April 1936.

Order—No. 1388, *Revenue, dated* 29*th June* 1936.

No objection or suggestion having been received in regard to the draft amendments to the rules under the Madras Survey and Boundaries Act, 1923, published at pages 515–516 of Part I of the *Fort St. George Gazette*, dated the 28th April 1936, the amendments are now confirmed.

2. The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by clause (a) of sub-section (2) of section 26 of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), the Governor in Council is hereby pleased to make the following amendments to the rules published with Revenue Department Notification No. 313, dated the 15th December 1925, at pages 2402–2405 of Part I of the *Fort St. George Gazette*, dated the 22nd December 1925, as subsequently amended:—

AMENDMENTS.

In the said rules—

(1) for the entry appearing against 'Points' in sub-clause (a) of clause (1) of rule 1 of the rules under the heading "Rules under clause 2 (a)" the following entry shall be substituted, namely:—

"At village trijunctions and their pointers on the boundaries between ryotwari villages and at the places marked on the village map or other record prepared at the time of survey as stations at which a theodolite has been set up on the boundaries between a ryotwari village and a proprietary village";

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(2) for item (i) against "All other cases" appearing under 'Points' in clause (3) of rule 1 aforesaid the following item shall be substituted, namely:—

"(i) (a) At the places marked on the village map or other record prepared at the time of survey as stations at which a theodolite has been set up with the exception of the points mentioned in sub-clause (a) of clause (1);

(b) at the bends and trijunction on the boundaries of villages adjoining proprietary estates, at trijunctions on the boundaries between ryotwari villages and at the bends and trijunctions of poramboke survey fields and subdivisions, of survey fields and subdivisions, belonging to or vested in local bodies, as also of minor circuits, i.e., survey fields which have been surveyed with an angular instrument", and

(3) for item 3 under rule 2 the following item shall be substituted, namely:—

"3. On a field stone on the boundary of a minor circuit, on a theodolite station other than a village trijunction and its pointers in the case of boundaries between ryotwari villages and at a khandam station, a plummet hole on the top."

3. A copy of the amendments made will be placed on the table of the Legislative Council.

(By order of the Governor in Council)

H. R. Uzielli,
Secretary to Government.

To the Superintendent, Government Press (with paragraph 2 for publication of Notification).
,, Board of Revenue.
,, Legal Department.
,, Legislative Council Office.

Appendix XXVIII.

[Vide item VIII (14) at page 107 supra.]

Public Works Department.

U.O. NOTE No. 3814-D/35-3, DATED 14th MAY 1936.

[Communication to the Council.]

With reference to the answers given to the supplementary questions under Questions Nos. 228 and 293 at the meetings of the Legislative Council held on the 29th and 30th October 1935, respectively, the appended districtwar list of the works taken up for execution during 1935–36 under the special accelerated and widespread programme of improvements to minor works of irrigation is laid on the table:—

Question No. 228, dated 29th October 1935.

228 *Q.*—Mr. M. B. Rangaswami Reddi: Will the Hon. the Home Member be pleased to state with reference to question No. 681, dated

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22nd February 1935, whether any final decision has been reached by the Government in regard to the undertaking of schemes for the absorption of the unemployed?

A.—In view of the present economic depression and consequent unemployment among the rural population, the Government have sanctioned a scheme involving a capital expenditure of Rs. 50 lakhs for an accelerated programme of improvements to minor works of irrigation on a three-year plan. The programme has been primarily directed to strengthening bunds and, where necessary, other parts of irrigation works, and the works selected have been spread out as far as possible over the various districts due regard being had to the availability of labour, the possible working season, and to the fact that the necessity is less in certain well-favoured tracts. The programme is in course of execution.

Mr. V. M. Ramaswami Mudaliyar:—" May I ask the Hon. the Home Member whether the Government had any proposal under consideration for the absorption of the middle class educated unemployed? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" We had a full dress debate on the matter."

Mr. V. M. Ramaswami Mudaliyar:—" May I ask whether the Government had any schemes or proposals examined regarding the absorption of or relief to be given to the middle class educated unemployed? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" It is an impossible task for any Government to absorb all the middle class educated unemployed people."

Mr. T. S. Ramaswami Ayyar:—" May I know if the Government have made any attempt at all to give relief to the educated middle class unemployed—let alone the magnitude of the task? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" The whole question has been examined more than once."

Mr. A. B. Shetty:—" The answer says: 'and the works selected have been spread out as far as possible over the various districts.' May I know which districts have been left out in the scheme and why? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" I should like to have notice of that question."

B. Pocker Sahib Bahadur:—" May I know whether it is a fact that Malabar has been entirely left out of the scheme and, if so, why it was left out? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" If there was anything in Malabar on which we could spend a portion of the amount of Rs. 50 lakhs, it could not have been left out."

Mr. A. Ranganatha Mudaliyar:—"Will the programme referred to in the answer be made available for the information of the public?"

The Hon. Rao Bahadur A. T. Pannirselvam:—"I will consider the hon. Member's suggestion."

Mr. C. Basu Dev:—"May I know if the Government have any proposal under consideration at least to prevent the increase in the number of educated unemployed?"

The Hon. Rao Bahadur A. T. Pannirselvam:—"The matter rests completely with the parents."

B. Pocker Sahib Bahadur:—"May I know whether it is because there is no unemployment in Malabar that it has been left out from the scheme?"

The Hon. Rao Bahadur A. T. Pannirselvam:—"There must be such kinds of works which would fit in with the scheme which we have formulated and which, when put into execution, would incidentally go to relieve unemployment."

Question No. 293, *dated* 30*th October* 1935.

293 *Q.*—Mr. A. B. Shetty: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the Government of India grant of 50 lakhs for village works is proposed to be spent on irrigation works;

(*b*) whether in districts of Malabar and South Kanara there are any irrigation schemes ready for immediate execution; and

(*c*) whether in districts where no approved schemes are ready, Government propose to spend the money for any other purpose?

A.—(*a*) It is presumed that the hon. Member is referring to the comprehensive three-year programme for an expenditure of Rs. 50 lakhs on works to relieve unemployment among the rural population. No grant was made by the Government of India towards this scheme. The expenditure is to be met from loan funds or balances to the extent available. The entire amount is to be spent on irrigation works. An explanatory note on the scheme was placed before the Legislative Council in connexion with the further demand under Grant VI—Irrigation on 22nd March 1935.

The Government of India gave a grant of Rs. 14 lakhs for expenditure during 1935–36 on schemes of village uplift which include village roads, village water-supply and sanitation, anti-malarial measures, etc., but not irrigation works.

(*b*) The Board of Revenue has reported that there are no suitable irrigation schemes coming within the scope of the comprehensive special programme of 50 lakhs in the Malabar and South Kanara districts.

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(c) The diversion of any part of the Rs. 50 lakhs to works other than irrigation would be opposed to the spirit and purpose of the special programme as outlined to the Government of India and Secretary of State and would be open to audit objection.

Mr. P. V. KRISHNAYYA CHOUDARI :—" May I know which are the districts that are taken up under this scheme at present? "

The Hon. Mr. C. A. SOUTER :—" If my recollection is correct, all districts in the Presidency have been given a part of the grant in the present year except Malabar and South Kanara."

Mr. P. V. KRISHNAYYA CHOUDARI :—" May I know whether the Government will be pleased to issue a communiqué giving the total amount to be spent for the information of the public? "

The Hon. Mr. C. A. SOUTER :—" I have no objection to give it for this year."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR :—" May I ask the hon. Member whether he will be pleased to publish not only the amount but also the actual schemes that have been sanctioned for each district? "

The Hon. Mr. C. A. SOUTER :—" That will entail a considerable amount of work. If the hon. Member will only look at the answer given in the appendix on page 230 in reply to question No. 301, he will find that in one district of Nellore alone the number of Public Works Department tanks comes to 29 and it would mean very much work to prepare a list of all such tanks in the Presidency including minor irrigation works."

Districtwar list of works taken up for execution during 1935–36.

W. SCOTT BROWN,
Secretary to Government.

To the Secretary, Legislative Council.

APPENDIX.

Districtwar list of works taken up for execution during 1935–36 under th special accelerated and widespread programme of improvements to mino works of irrigation.

Serial number and name of work.

ANANTAPUR DISTRICT—Rs. 75,000.

Anantapur taluk.

1 Aravakur tank.
2 Chapatla Vizaya Bukkarayala tank.
3 Ipperu tank.
4 Red tank of Kandakur.

Kalyandrug taluk.

5 Muddinayanapalli tank.
6 Mulakaledu tank.
7 Mandli tank of Kundurpi.
8 Palavoy tank.
9 Old tank of Lakshampalli.
10 Kothacheruvu of Lakshampalli.

Serial number and name of work.

ANANTAPUR DISTRICT—*cont.*

Gooty taluk.

Uravakonda sub-taluk.

11 Racherla tank of Sheiksanipalli.
12 No. 39 Venkatampalli tank.
13 Busetticheruvu of Lathavaram.

Gooty Main taluk.

14 Ganjiguntapalli tank of Dimmagudi.
15 Ramagiri tank.

Tadpatri taluk.

16 Boppepalli tank.
17 Kattava tank of Vanganur.
18 Ramdasscheruvu of Gudipadu.

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strictwar list of works taken up for execution during 1935–36 under the special accelerated and widespread programme of improvements to minor works of irrigation—*cont.*

Serial number and name of work.

ANANTAPUR DISTRICT—*cont.*

Tadpatri taluk—cont.

Chukkalur channel.
Uracheruvu of Talaricheruvu.
Peddapolamada channel.
Komali channel.

Dharmavaram taluk.

Polepalli tank.
Sannadurgamma tank of Nasanakota.
Malleswari tank of Kondapuram.
Gunduvari tank of Konapuram.

Kadiri taluk.

Peddacheruvu of Dhaniyancheruvu.
Tummalakunta of Jonnalakothapalli.
Badranikunta of Kadiri Brahmanapalli.
Gurrappakunta of Uppalapadu.
Peddakanugalakunta of Kurumamidi.
Diguvacheruvu of Pedaballi-Kothapalli.
Gangireddicheruvu of Pedaballi-Kothapalli.
Nagalacheruvu of Pedaballi.
Reddicheruvu of Peddannavaripalli.
Mangesettikunta of Vepamanipeta.
Kondareddicheruvu of Obulareddipalli.
Reddicheruvu of Talupula.
Peddapulikunta of Lakkasamudram.
Kassamudram tank of Kassamudram.
Khyraticheruvu of Thummalakuntapalli.
Raginenicheruvu of Tavalam.

Penukonda taluk.

Hindupur taluk.

Whole taluk declared famine affected.

Madakasira taluk.

3 Chinnacheruvu of Mandalahalli.
4 Peddacheruvu of Mandlapalli.
5 Banarehalli tank of Rayapuram.
6 Kerevolaginehalli tank of Rayapuram.
7 Bhaktarahalli tank of Haresamudram.
8 Yelloti tank of Kallumari.
9 Phalaram tank of Gudibanda.
0 Kasba tank of Amidalagondi.
1 Hunisekatta of Rayapuram.
2 Kodihalli Rangaswami tank of Yerrabommanahalli.

NORTH ARCOT DISTRICT—RS. 75,000.

Arkonam taluk.

1 Anandapuram tank.
2 Ichiputhur tank.
3 Thoraiyur Akkanthangal.
4 Mangatucheri tank.
5 Kuthambakkam tank.
6 Nandiveduthangal tank.
7 Gudalur Peri eri.
8 Veliyanallur tank.

Chengam taluk.

9 Radhapuram tank.
10 Si. Sorapanandal tank.
11 Kambattu tank.

Serial number and name of work.

NORTH ARCOT DISTRICT—*cont.*

Chengam taluk—cont.

12 Melravandavadi tank.
13 Taradapattu Peri eri.
14 Puliyambattu tank (Etti kuttai)
15 Maluvambattu tank.
16 Pinjur Thulukkanathangal.
17 Gudalur tank.
18 Kariamangalam Sundakapalayam eri.

Cheyyar taluk.

19 Nemili tank.
20 Seyyanur tank.
21 Alividithangi Oduppukuttai.
22 Mathur chittori.
23 Kunnavakkam Peri eri.
24 Kilathur tank.
25 Korakathur Manalavadi eri.

Gudiyattam taluk.

26 Agraharam tank.
27 Bojanapuram Ayyana eri.
28 Natteri tank.
29 Melmuttukkur Thattankolam eri.
30 Gudanagaram tank.
31 Thattaparai Chandu eri.

Polur taluk.

32 Pushpagiri tank.
33 Soliamthangal.
34 Kaniyambadi tank.
35 Polur tank.
36 Kalavasal tank.
37 Thumbur tank.
38 Saduperi Andalur eri.
39 Alampoondi Kalakapandal eri.

Tiruppattur taluk.

40 Korattur tank.
41 Irunapattu Egiler.
42 Ambalur Peri eri.
43 Chandrapuram Peri eri.
44 Paniandapalli Vellayya Goundar kutteri.

Tiruvannamalai taluk.

45 Kilpennathur tank.
46 Kallakulam tank.
47 Alaganandal tank.
48 Ayyampalayam Parayanpattu.
49 Narayur tank.
50 Athipadi tank.
51 Mallappa Nayakanpalayam Peri eri.

Vellore taluk.

52 Periankuppam tank.
53 Tellur tank.
54 Palambakkam eri.
55 Unai tank.
56 Usoor Singaneri.
57 Kammasamudram Peri eri.
58 Eluvambadi tank.
59 Gollamangalam tank.
60 Madayapattu tank.

Districtwar list of works taken up for execution during 1935-36 ur the special accelerated and widespread programme of improvements minor works of irrigation—*cont.*

Serial number and name of work.

NORTH ARCOT DISTRICT—*cont.*

Wallajah taluk.

61 Thalanur tank.
62 Thimmancherikuppam tank
63 Valayathur Varadarajan tangal.
64 Sholinghur Pillianchi tank.
65 Govindacherikuppam thangal.
66 Periamangalam tank.
67 Jambukolam Chitteri.
68 Marudam tank.
69 Odalai tank.

Wandiwash taluk.

70 Kilputhur tank.
71 Kilseshamangalam tangal.
72 Padur Peri eri.
73 Melpalayam Peri eri.
74 Kilnamandy tank.
75 Mavalavady big tank.

SOUTH ARCOT DISTRICT—Rs. 75,000.

Cuddalore taluk.

1 Melalinjipattu large tank.
2 Do. small tank.
3 Nallathur Pallan tangal.
4 Ranganathapuram Thirumanathan tangal.
5 Tailakunampatnam Vengatikulam.
6 Thambipettai Pudu eri.
7 Annathanampettai Uppalan tangal.
8 Ulundampattu tank.
9 Thiruvamur tangal.
10 Maligaimedu tank.

Villupuram taluk.

11 Malpadi Hissa tank.
12 Panayapuram tank.
13 Sokkampattu tank.
14 Pungunam tank.
15 Konur Sitheri.
16 Periababusamudram sitheri.
17 Kadiam tank.
18 Siruvallikuppam tangal.
19 Pedamam sitheri.
20 Kolianur channel silt clearance.

Tindivanam taluk.

21 Authur tank.
22 Vairapuram tank.
23 Melpakkam tank.
24 Koluveri tank.
25 Taniyal large tank.
26 Nagalapakkam tank.

Gingee taluk.

27 Melvailamur large tank.
28 Konai tank.
29 Arugavur Sivan tangal.
30 Devanur Sivan tangal.
31 Edapattu Kolapam eri.
32 Melacheri Man tangal.
33 Koilporayur eri.
34 Mavanandal Nilampundi eri.

Serial number and name of work.

SOUTH ARCOT DISTRICT—*cont.*

Tirukkoyilur taluk.

35 T. Athipakkam eri.
36 Siddapatnam tank.
37 Adur Kolappakkam tank.
38 Periyanur tank.
39 V. Sithamur sitheri.
40 V. Pudupalayam Peria eri.
41 Pooniandal Vepa eri.
42 Adanur tank.
43 Kalamarudur tangal.
44 Vadamambakkam eri.

Kallakurchi taluk.

45 Chinnasalem eri.
46 Kallakurchi large tank.
47 Pasar large and small tanks.
48 Kiranur tank.
49 Tandalai sitheri.
50 Paithandurai tank.
51 Manalur tank.
52 Poravalur tank.

Vriddhachalam taluk.

53 Gangaikondan eri.
54 U. Mangalam Pudu eri.
55 U. Kolappakkam eri.
56 Manakollai eri.
57 Periansalem tank.
58 Siruvembar eri.
59 Adari tank.
60 Pathakurichi tank.
61 Sevveri tank.
62 Padukalanatham eri.

Chidambaram taluk.

63 Viranandapuram Pungan eri.
64 Palayankottai Vadakn Putheri tank.

BELLARY DISTRICT—Rs. 60,000.

Alur taluk.

1 Virupapuram tank.

Rayadrug taluk.

2 Gummaghatta tank.
3 Doddaghatta.
4 Mallapuram.

Hospet taluk.

5 Janikunta at Chilkanahatti.
6 Anipinakatta tank.
7 Ayyanahalli.
8 Vyasanakeri.

Hadagalli taluk.

9 Magimavinahalli tank.
10 Kenchatnahalli.

Harpanahalli taluk.

11 Jinnayakanakeri tank.
12 Singanahalli.
13 Madlageri.

Districtwar list of works taken up for execution during 1935-36 under the special accelerated and widespread programme of improvements to minor works of irrigation—*cont.*

Serial number and name of work.

BELLARY DISTRICT—*cont.*

Harpanahalli taluk—*cont.*

14 Chikkamyagalakeri.
15 Mannermasalvada.
16 Towdur.

Kudligi taluk.

17 Nidugurthi big tank.
18 Thammayyanagudda tank.
19 Betrigin tank in Bennikal.
20 Ayyanahalli tank.
21 Thummaraguddi (Yerrayyanahalli tank).
22 Lattinakeri tank.

CHINGLEPUT DISTRICT—Rs. 75,000.

Saidapet taluk.

1 Pondeswaram tank.
2 Kilkundiyur tangal.
3 Kilkundiyur tank.
4 Vilangadupakkam Pallikuppam tank.
5 Koladi tank.
6 Perungudi tank.

Sriperumbudur taluk.

7 Elichur tank.
8 Adamur tank.
9 Vadamangalam tank
10 Manar Judayeri.
11 Valarpuram tank.
12 Goparasanallur.
13 Akkamapuram Vada tangal.
14 Sengadu tank.
15 Gunduperumbedu Vannan tangal.
16 Salamangalam eri.
17 Kuttanur tank.

Tiruvallur taluk.

18 Sivanvoyal tank.
19 Kilanur tank.
20 Velliyur tank.
21 Krishnapuram river channel.
22 Allikuli tank.
23 Karanai tank.
24 Tiruppair Asalathamman tangal.
25 Nayapakkam tangal.
26 Arayapakkam Kal eri.
27 Movur Setti tangal.
28 Kanakavallipuram kadambaneri.

Ponneri taluk.

29 Uppunelvoyal tank.
30 Kruvoiyagaram tank.
31 Mangavaram Pulianeri.
32 Pungulam Karumban tangal.
33 Manali Erukkuvoy Hissa tank.
34 Karumbukuppam Siraneri.
35 Sirupulalpettai Sikkran eri.
36 Sirupulalpettai Pudu eri.

Serial number and name of work.

CHINGLEPUT DISTRICT—*cont.*

Madurantakam taluk.

37 Kongaraimambattu tank.
38 Venmani tank.
39 Padiri tank.
40 Perumbakkam tank.
41 Valayaputhur tank.
42 Uludamangalam tank.
43 Puliyanai tank.
44 Vinnampundi tank.

Conjeeveram taluk.

45 Agaramtuli tank.
46 Arasanimangalam tank.
47 Marutbuvampadi tank.
48 Maruthur small tank.
49 Pullalur Ayyaneri.
50 Kovalavedu peria eri.
51 Pennalur tank.

Chingleput taluk.

52 Manapadi tank.
53 Acharapakkam tank.
54 Vembedu tank.
55 Mambakkam tank.
56 Mullikolathur tank.
57 Kilkottaiyur tank.
58 Kunnapattu tank.

CHITTOOR DISTRICT—Rs. 70,000.

Chittoor taluk.

1 Kaminayani cheruvu.
2 Chinnakendareddikotha cheruvu.
3 Kotta cheruvu.
4 Hissa Pedda cheruvu.
5 Kotha cheruvu.
6 Veera cheruvu.
7 Kavoor Buchanna cheruvu.
8 Nagalavani cheruvu.
9 Challavani kunta.
10 Kalappareddi cheruvu
11 Kamamvari cheruvu.
12 Venkatreddi cheruvu.
13 Pachibala Bodi cheruvu.

Chandragiri taluk.

14 Krishnamanayani cheruvu.
15 Kondepalli vari kunta.
16 Gangamma cheruvu.
17 Gurappachetti kunta.
18 Kalyani Ramayya cheruvu.
19 Uppara Venganna cheruvu.
20 Lingarao kunta.
21 Jambu voddu.
22 Kesavani kunta.
23 Amma cheruvu.
24 Ramasamudram cheruvu.

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Districtwar list of works taken up for execution during 1935–36 und the special accelerated and widespread programme of improvements minor works of irrigation—*cont.*

Serial number and name of work.

CHITTOOR DISTRICT—*cont.*

Palmaner taluk.

25 Kittanna kunta.
26 Nayakurala kunta.
27 Gantla cheruvu.
28 *Mittapalle Neella kunta.*
29 Dasarlapalle cheruvu.
30 Chinna Gowni cheruvu.
31 Ghattu cheruvu.
32 Thirumaladevani cheruvu.
33 Chiragani voddu.
34 Ethamakula cheruvu.
35 Kotha cheruvu.
36 Maddireddi cheruvu.
37 Besthachinniah cheruvu.

Madanapalle taluk.

38 Nallakanama voddu.
39 Singamanayani cheruvu.
40 Tirumaladevara cheruvu.
41 Peta cheruvu.
42 Nerellakunta.
43 Chennamanayani cheruvu.
44 Pottivani kunta.
45 Dagguvani kunta.
46 Nadimu voddu.
47 *Ravani cheruvu.*
48 Gummasamudram cheruvu.
49 Pedda cheruvu.
50 Byri kunta.
51 Degani cheruvu.
52 Bayyamma cheruvu.
53 Egava cheruvu.
54 Chinna cheruvu.
55 Nayani cheruvu.
56 Thummala cheruvu.
57 Korla kunta.
58 Gurramma cheruvu.
59 Kalvapalle cheruvu.
60 Vepuri cheruvu.
61 Muddala kunta.
62 Upparlakunta.
63 Chinnu kunta.
64 Kadiranna kunta.
65 Kanagala kunta.
66 Repairs to Chinnatippasamudra Pedda cheruvu.
67 Do. Tamballapalle Racheruvu.
68 Do. Patnayanicheruvu of Maddinayanipalle.
69 Do. Badikayalapalle Pedda tank.
70 *Do. Sompalle Pedda cheruvu.*
71 Do. Puligallu large tank.
72 Do. Nayakurala cheruvu.

Vayalpad taluk.

73 Rewtu kunta.
74 Devara cheruvu.
75 Kanyalayya cheruvu.
76 Venkataswami cheruvu.
77 Matam cheruvu.

Serial number and name of work.

CHITTOOR DISTRICT—*cont.*

Vayalpad taluk—cont.

78 Thippisetti kunta.
79 Balusuvani kunta.
80 Nerella kunta.
81 *Rayappa cheruvu.*
82 Votu kunta.
83 Jangamvari cheruvu.
84 Rekala kunta.
85 Settivanikunta.
86 Krishnamma voddu.
87 Yerra cheruvu.
88 Pedda kavam kunta.
89 Nagarasamma cheruvu.
90 Biravani kunta.
91 Kambamvari cheruvu.
92 Reddi cheruvu.
93 Kambamvari kunta.
94 Ankalamma cheruvu.
95 Yennugula cheruvu.
96 Obuladevara cheruvu.
97 Piliem cheruvu.
98 Morapareddi cheruvu.
99 Ganginayani cheruvu.
100 Pacharlavandla kunta.
101 Venkatrayanai cheruvu.
102 *Gangalathippireddi voddu.*
103 Repairs to Iyapareddi tank of Chin kunta.
104 Do. Papinayani cheruvu.
105 *Do. Agraharam tank.*
106 Do. Mantsuri Tati cheruvu.
107 Do. Tsakirevupalle Racharuvu.
108 Do. Marripadu-Hariharajula ta

COIMBATORE DISTRICT—Rs. 10,000.

Kollegal taluk.

1 Revised estimate for repairs to Dod ranganathan tank in Kollegal—D.R. N 33/31-32.
2 Revised estimate for improving the bu of Chikkaranganathan tank—D.R. N 27/31-32.
3 Revised estimate for improving t Kongalkarai tank—D.R. No. 24/31-32.
4 Revised estimate for improving the Mu kondam tank.
5 Revised estimate for improving the bu of Palayam tank.

CUDDAPAH DISTRICT—Rs. 75,000.

Cuddapah taluk.

1 Uppalur Chinna cheruvu.
2 Do. Pedda *cheruvu.*
3 Valasapalli Garugu cheruvu.
4 Kommadi Kotha cheruvu.
5 Gotur tank.
6 Palde Kalva channel.
7 Vallur channel.

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Districtwar list of works taken up for execution during 1935–36 under the special accelerated and widespread programme of improvements to minor works of irrigation—*cont.*

Serial number and name of work.

CUDDAPAH DISTRICT—*cont.*

Rayachoti taluk.

8 Yerramanenipalem Pedda kunta.
9 Do. Chinna cheruvu.
10 Kuppam Yerra kunta.
11 Yerrabommanapalli kalva kunta.
12 Yerra cheruvu of Thumu kunta.
13 Anantapuram Yerracheruvu.
14 Nallaguttapalli Billigutta cheruvu.
15 Lakkireddipalli Dorrai cheruvu.
16 Gunnikuntla Pedda cheruvu.
17 Tsundupalli Appanna cheruvu.
18 Surabhu Moola kunta.
19 Sanipaya Bodemma cheruvu.
20 Tsakibanda Thippaya kunta.
21 Podalakunta of Masapet.
22 Pothumayakunta of Chitlur.
23 Obulambhotlukunta of Anantapuram.
24 Jeenuvula cheruvu of Kurnutala.
25 Papayya cheruvu of Paramatikonda.
26 Pedda cheruvu of Chitloor.
27 Gundlakunta of Bandapapalle.
28 Ravikunta of Gopagudipalle.
29 Annampalle kunta of Sibyala.
30 Nallaguttapalle Diguva cheruvu.

Pulivendla taluk.

31 Dasari cheruvu of Udavagandla.
32 Biddamcherla tank.
33 Santha Kovur Kotha cheruvu.
34 Nallacheruvupalli Nalla cheruvu.
35 Repairs to Pulivendla channel.
36 Yerraballa tank.
37 Lingannakunta of Balapanur.

Jammalamadugu taluk.

38 Dadirenukunta.
39 Lavanoor tank.
40 Mangapatam small tank.
41 Bedudur channel.
42 Etur channel.
43 Sirigepalle Kollegal tank.
44 Sunnapurallapalle Pedda cheruvu.

Proddatur taluk.

45 Ellampalli tank.
46 Mydykur Yerra cheruvu.

Siddhout taluk.

47 Takkolu Yerra cheruvu.
48 Ponnala cheruvu of Kuruguntapalli.
49 Kamalakur Chinna cheruvu.
50 Do. Pedda cheruvu.
51 Madapur tank.
52 Nallakunta and Kothur kunta of Madapur.
53 Vontimitta large tank.
54 Madhavaram Pedda cheruvu.

Badvel taluk.

55 Mallamakunta of Kavala kunta.
56 Cherlopalli Musalreddi kunta.
57 Kodur Ramasamudram tank.

Serial number and name of work.

CUDDAPAH DISTRICT—*cont.*

Badvel taluk—cont.

58 Gundapuram Tatappa cheruvu.
59 Chennampalli Bhakerapet tank.
60 Gopavaram tank.
61 Porumamilla tank.
62 Chennampalle tank.

Rajampet taluk.

63 Yeliamraju cheruvu of Mandapalli.
64 Palem kunta of Thallapaka.
65 Kommana cheruvu of Kommanavaripalli.
66 Lakshmipalli kunta of Mittameedipalli.
67 Chinna cheruvu of Malemarpuram.
68 Chenchuvari kunta of Gadala.
69 Rajamma cheruvu of Botimeedipalli.
70 Reddi kunta of Pedda Orampad.
71 Gravelling Thirnampalli tank.
72 Reddipalli tank.
73 Repairs to Siddavaram spring channel.

GANJAM DISTRICT—Rs. 25,000.

Chicacole taluk.

1 Rayakarra of Kondavalasa.
2 Garappa tank of Vedullavalasa.
3 Pakala tank of Kasimvalasa.
4 Yenamandravani tank of Guggila.
5 Jaggu Konevu of Boddapadu.
6 Yellamma tank of Koralakota.
7 Korlagundam of Ragolu.
8 Nayaralu tank of Chinguruvalasa.
9 Makanna tank of Yelamanchili.
10 Geddapuni tank of Goliaputti.
11 Kellabanda Nyra.
12 Tamapadu tank of Peddadugam.
13 Voora tank of Budithi.
14 Sadhy Lachumudu tank of Ragolu.
15 Simhadri Chendrayya tank of Jalumuru.
16 Putivani tank of Jalumuru.
17 Katti Nayudu tank of Peddadugam.
18 Appayya Nayudu tank of Peddadugam.
19 Papayya tank of Rana.
20 Krishnamma tank of Yellamanchili.
21 Sylada tank of Koundavalasa.
22 Ralla tank of Korlakota.
23 Voora tank of Vedullavalasa.
24 Pedda tank of Basivada.

Ichchapur taluk.

25 Voora cheruvu of Beggiputti.
26 Ramudu cheruvu of Kedaripuram.
27 Avurla tank of Edupuram.
28 Vootagummipeta tank of Suvani.
29 Devalam cheruvu of Vinjagiri.
30 Bhima Sundaram tank of Mandapalli.
31 Padmapur gedda of Tulasingam.
32 Voora tank of Bodokholi.

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Districtwar list of works taken up for execution during 1935–36 un the special accelerated and widespread programme of improvements minor works of irrigation—*cont.*

Serial number and name of work.

EAST GODAVARI DISTRICT—Rs. 70,000.

Peddapur taluk.

1 Bondavari tank of Marriveedu.
2 Achamma tank of Marripudi.
3 * * *
4 Venkiah tank of Nallamilli.
5 Bunganna tank of Nallimilli.
6 Madina tank of Nallimilli.
7 Jagannadha Sagaram tank of Nallamilli.
8 * * *
9 Lakshmi tank of Nallamilli.
10 Thirumalaya tank of Singampalli.
11 Thota tank of Rayabhupalapatnam.
12 Timmaraju tank of Vadiseleru.
13 Nagula tank of Kotapadu.
14 Perraju tank of Rangapuram.
15 Suriah tank of Anuru.
16 Voti tank of Kapavaram.
17 Malgani tank of G. Ranagampeta.
18 Dam across the supply channel to Ura tank of J. Annavaram.
19 Gubbalavari tank of Singarampalem.
20 Regula tank of Singarampalem.
21 Jastivari tank of Singarampalem.
22 Velangibanda kalva of Peda Mallapuram.
23 Gangabathuni tank of Marripudi.
24 Adappa Veerappa tank of Marripudi.
25 Veerraju tank of Anuru.
26 Deyyamgoyyi tank of Doddigunta.
27 Karragatti tank of Doddigunta.
28 Narayudu Kurimidi of Mallapalli.
29 Gangula tank of Mallapalli.
30 Polisetti tank of Mallapalli.
31 Gollavadi tank of Nallamilli.
32 Konetivari tank of Bayanapalli.
33 Ura tank of Maredubaka.
34 Venkatareddi dora tank of Kindra.
35 Minor Irrigation tank of Rajanagaram.
36 Supply channel to Gondole tank.
37 Jaggareddidora tank of Dakarai.
38 Yarra tank of Rajupetaloddi.
39 Seetamma tank of Rajavaram.
40 Perraju tank of Goutuvaripalem.
41 Pedapativari tank of Bolleddupalem.
42 Kurmanna tank of Mungala.
43 Patrani tank of Koti.
44 Mutyalamma tank of Narendrapuram.
45 Vissanna tank of Narendrapuram.
46 Saravayya tank of Singampalli.
47 Ura tank of Doddigunta.
48 Ura tank of Kondgutur.
49 Ratigulagoyyi tank of Kondgutur.
50 Chellurivari tank of Kondgutur.
51 Vallabharayudu tank of Pallacherla.
52 Kamuri tank of Pallacherla.
53 Adapavari tank of Kapavaram.
54 Golaguboyinavari tank of Tantikonda.
55 Kaja Kannayya tank of R. Yarrampalem.
56 Komaragothula or Yarra tank of Kalavacherla.
57 Buchemma tank of Kondagutur.

Serial number and name of work.

EAST GODAVARI DISTRICT—*cont.*

Peddapur taluk—cont.

58 Vadla Kammarla tank of Kondagutur.
59 Kammarabathula tank of Kondagutur.
60 Mekalavari tank of Kalavacherla.
61 Kattava tank of Kalavacherla.
61-A Gangadevigunta of Burugupadi.
62 Gurappa tank of Burugupadi.
63 Karragunta of Burugupadi.
64 Gollavari tank of Rajavole.
65 Velicheti Venkanna tank of Gadarada.
66 Vadlangi tank of Gadarada.
67 Mudumbivari tank of Tantikonda.
68 Markondaraju tank of Namavaram.
69 Venkatrayudu tank of Narendrapuram.
70 V. Papiah tank of Kapavaram.
71 Komatiknnta tank of Jambupatnam.
72 Ura tank of Jambupatnam.

WEST GODAVARI DISTRICT—Rs. 15,00

Ellore taluk.

1 Raising and widening the bund of T tank of Komirepalli.
2 Earthwork for strengthening the bund Namburivari tank of Akkupalli Go varam.
3 Earthwork for Boddukunta of Bhimado
4 Do. Pattesanikunta of Bhir dole.
5 Do. Narikedala tank of Den lur.
6 Do Nilapalavani tank Kaikaram.
7 Do. Repalli Kannayakunta Kuchempudi.
8 Do. Uppukunta of Muppa ram.
9 Do. Gurammakunta of S ramavaram.

Chintalapudi taluk.

10 Clearing the surplus channel of Me varapu taluk of Settiranigudem.
11 Raising and widening the bund of Ma samudram tank and Dharmajigudem.
12 Earthwork to Achayya tank of Praga varam.
13 Do. Kasimkunta of Pragada ram.
14 Do. Balavarigudem tank Urlagudem.
15 Do. Edigavarapu tank of Ch talapudi.
16 Do. Durgadevi tank of Ka rade.
17 Do. Gangulavani tank Mattamgudem.
18 Do. Erakamsettikunta of Ta kalapudi.
19 Do. Nagula tank of Tadika pudi.

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Serial number and name of work.

WEST GODAVARI DISTRICT—*cont.*

Tadepalligudem taluk.

Repairs to Yerrakalva embankment in Kadiyedda limits.
Repairs to Yerrakalva embankment in Madhavaram limits.
Earthwork to bund, etc., of Kothakara of Darisiparru.
Do. bund of Kotavani tank of Ungutur.
Do. Undrallakunta of Ungutur.
Do. Chinni tank of Kadiyedda.
Providing revetment at sluice No. 1 of Erramalla Erra tank of Ungutur.

GUNTUR DISTRICT—Rs 42,000.

Sattenapalle taluk.

Strengthening the bund of Gundalapalli big tank.

Narasaraopet taluk.

Strengthening the bund of Nekarikal tank.
Constructing a supply channel to Ravipad tank.

Vinukonda taluk.

Raising and strengthening the bund of Kanumalacheruvu tank.
Raising and strengthening the bund of Akulavari tank of Gokanakonda.
Repairs to the bund of Petturi tank.
Strengthening the bund of Rudrakka tank of Remidicherla.
Strengthening the bund of Gandiganamala tank.
Do. Venkannapalem tank of Gutalapalli.

Palnad taluk.

Raising and strengthening the bund of Nagulavaram tank.
Removing silt in Tummercode Nalla tank.
Do. Pasvemula tank.
Do. Gottipalla channel.
Do. Kodali Katwa channel of Mandadi.
Do. Tigachintala Katwa channel of Ratchamallipadu.
Do. Penugotipaya Katwa channel of Mandadi.
Do. Dachepalli Nadimi Katwa channel.
Do. Sankarapuram channel of Gamalapadu.
Deepening and strengthening the bund of Mamillagudem tank of Madinapad.

Ongole taluk.

Deepening and strengthening the bund of Konijedu tank.
Deepening and strengthening the bund of Ammanabrolu Govindappa tank.

Serial number and name of work.

KISTNA DISTRICT—Rs. 20,000.

Bezwada taluk.

1 East tank.
2 West tank.
3 Rayanapadu tank.
4 Kottur tank.
5 Govindappa tank.
6 Ganapavaram east tank.
7 Balarao tank.
8 Kodur east tank.
9 Kowlur west tank.
10 Kambhampadu tank.

KURNOOL DISTRICT—Rs. 30,000.

Koilkuntla taluk.

1 Venkatagiri Deekshitulu tank of Kunuguntla.
2 Hayyath Khan tank of Uppalapad.
3 Vemulapad tank.
4 Thimmanayanipeta tank.
5 Owk distributaries—
(*a*) Basanane kalva channel.
(*b*) Gala Guruvayya kalva channel.
(*c*) Oota kalva distributary.

Pattikonda taluk.

6 Peddacheruvu of Pattikonda.
7 Cusla cheruvu of Jonnagiri.
8 Vengalaya doddi cheruvu of Karamanchi.
9 Machapuram Chinna cheruvu.
10 Uracheruvu of Ganjihalli.
11 Gooty Erragudi large tank.

Dhone taluk.

12 Yepadinne tank.
13 Kalachetla tank.
14 Mannikunta.

Kurnool taluk.

15 Pulacheruvu of Belagal.
16 Brahmana doddi tank.

Markapur taluk.

17 Ramasamudram or Veerareddi tank of Lolapalle.
18 Kotha cheruvu of Ramasamudram.

Sirvel taluk.

19 Devalaraya kunta of Chennur.

Nandikotkur taluk.

20 Gurralakunta Sorviredui cheruvu.

Cumbum taluk.

21 Peddacheruvu of Racherla.

Nandyal taluk.

Nil.

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Serial number and name of work.

MADURA DISTRICT—Rs. 60,000.

Ramnad Division.

1 Nilayur tank.
2 Raising and strengthening the bank of Nilayur channel.
3 Karisalkulam of Attikaripatti.
4 Pottal Kanmoi of Keelanesaneri.
5 Kudiraisanikulam of Kudiraisanikulam village.
6 Vellakulam of Vellanendal village.

Periyar Division.

7 Manthaikulam.
8 Sengulam.
9 Athikulam.
10 Tamaraikulam.
11 Vellakundusamudram tank.
12 Periyasamudram tank.
13 Mullipadi Periyakulam.
14 Velcarcottai Periyakulam.
15 Pilvettikulam.
16 Pambareddi tank.
17 Sadayankulam tank.
18 Karangulam.
19 Perumalkuam.
20 Tamaraikulam.
21 Koraikkadavon sengulam.
22 Palni Pappankulam.
23 Keeranur Alangulan.
24 Ramasamudram tank.
25 Kalyanabuthur Pudukulam.
26 Periyakulam of Vellayampatti.
27 Pudukulam of Kuvanuthu.
28 Sinnakulam of Allinagaram.
29 Periyapoolankulam of Keelavadagarai.
30 Vittikulam of Keelavadagarai.
31 Padayanendal of Kodukkampatti.
32 Sinnasendalai Kanmoi of Malampatti.
33 Pulankulam of Avichipatti.
34 Sinnanayakankulam Paunaimalai.
35 Periyakalmadi of Sekkipatti.
36 Thulukkankulam of Padiyur.
37 Kalkulam tank of Tadicombai.
38 Manthaikulam of Tottanuthu.
39 Sirunayakankulam of Pamjampatti village.
40 Kanninayakankulam of T. Panjampatti village.
41 Periyakulam of Vedasandur.
42 Ernasamudram of Eriodu village.
43 Aramanaikulam of Balasamudram.

NELLORE DISTRICT—Rs. 60,000.

Kandukur taluk.

1 Repairs to Kondapi tank.
2 Do. Tangella Ayyavari Appapalem tank.
3 Do. Vardinenipalem tank.
4 Pokur tank.
5 Madhavaram tank.

Serial number and name of work.

NELLORE DISTRICT—*cont.*

Kanigiri taluk.

6 Repairs to Nandanavanam tank.
7 Do. Guruvajipeta.

Kavali taluk.

8 Repairs to Kesavaram.
9 Do. Timmasamudram tank.
10 Chamadala tank.
11 Musunur tank.

Udayagiri taluk.

12 Repairs to Bhimavaram tank.
13 Do. Timmayapalem tank Budavada.
14 Do. Kattari Musali gunta Udayagiri
15 Dasabandam tank—Nandipad.
16 Nerellagunta—P.N. Palli.
17 Kampasamudram tank.

Nellore taluk.

18 Repairs to South Mopur tank.
19 Do. Vellanti Vavilla tank.
20 Madamanur tank.
21 Veerana Kanupur tank.
22 Idamepalli tank.

Atmakur taluk.

23 Repairs to Rajavolu tank.
24 Do. Peramana Ura tank.
25 Do. Bandarapalli large tank.
26 Krio merla tank.
27 Kuluvoy tank.
28 Kurukonda tank.
29 Dharmarao Cheruvupalli tank.
30 Penugodu tank.

Gudur taluk.

31 Repairs to Reddipalem tank.
32 Do. Chillamathur tank.
33 Do. Vedulla tank of Ankalapatur.
34 Chedimala tank.

Rapur taluk.

35 Repairs to Rapur Dabala tank.
36 Do. Timmasamudram Chenc tank.
37 Do. Podalakur large tank.

Sulurpet taluk.

38 Pansareddipalli tank—Griddalore.
39 Rapur large tank.
40 Repairs to Damanallur tank.

RAMNAD DISTRICT—Rs. 70,000.

Srivilliputtur taluk.

1 Sivananjankulam of Vadukapatti villag
2 Veppankulam of Sivendipatti village.
3 Paddikivingikulam Attikulam—Sengul village.

trictwar list of works taken up for execution during 1935-36 under the special accelerated and widespread programme of improvements to minor works of irrigation—*cont.*

Serial number and name of work.

RAMNAD DISTRICT—*cont.*

Srivilliputtur taluk—cont.

Nakkamangalam of Malli village.
Paraikulam of Srivilliputtur village.
Periakulam of Malli village.
Usilankulam of Vellappanur village.
Narikudi Sengulam of No. 55. Narikudi village.
Kadambankulam of Keelarajakularaman village.
Sengulam of Samasigapuram village.
Taivettikulam of Terkuvenganallur village.
Naduvakurichikulam of Malli village.

Sattur taluk.

Sathirapattikulam of Sattirapatti village.
Kaliyanankulam of Virudupatti village.
Misalur Sirukulam of Misalur village.
Mattamalaikulam of Mettamalai village.
Periyakulam of Anuppankulam village.
Kadambankulam of Kila Thiruthangal village.
Patalikurichikulam of Melamathur village.

Paramakudi taluk.

Kakanendal tank.
Periyanendal tank.

Mudukulattur taluk.

Sendaneri tank.
Kuruchikulam.
Tattanendal tank.
Sadakkanendal tank.
Bairavanakulam.
Kuthadiendal tank.
Karungulam.
Melapattam Karisalkulam.
Adiyur tank.
Veppankulam.
Kammalankulam.
Kambalanerikulam.
Karisalkulam.
Kalliputhurkulam.
Kandanerikulam.
Kila Iluppilakulam.
Achankulam.
Sengulam.
Periakulam of Tiruthangal.
1 Vembakottai large tank.
2 Paniakulam.
3 Purikulam.

SALEM DISTRICT—Rs. 75,000.

Salem taluk.

1 Muduthurai tank.
2 Mallur tank.
3 Ag. Nattamangalam tank.

Attur taluk.

4 Rajapalayam eri.

Serial number and name of work.

SALEM DISTRICT—*cont.*

Dharmapuri taluk.

5 Palavadi tank.
6 Mangarai peria eri.
7 Kallipuram tank.
8 Palayam tank.
9 Pudu eri.
10 Bellappagoundanhalli eri
11 Ramayanahalli tank.
12 Vellalapatti tank.

Harur taluk

13 Ittiyankuttai.
14 Machan eri.
15 Narakuttai.
16 Aleri.
17 Peria eri.
18 Nagal eri.
19 Naicken eri.
20 Kolkottamman eri.
21 Marappagoundan eri.
22 Mukan eri
23 Panamarattupatti eri.
24 Pedu eri.
25 Oor eri.
26 Peria eri.
27 Velan eri.

Hosur taluk.

28 Pattalingan eri.
29 Sitharamayyan eri.
30 Peria eri.
31 Sankarayyan eri.
32 Nanjagoundan Circar eri.
33 Venkatramayyan eri.
34 Ramanujanayakan eri.
35 Pudu eri.
36 Kempakavandan eri.
37 Sarandapalli tank.

Krishnagiri taluk.

38 Jamberi.
39 Santhanaiken eri.
40 Kambukalahalli eri.
41 Karuppan eri.
42 Sevampatti eri.
43 Kullampatti peria eri.
44 Rengappan tank.
45 Mittahalli tank.
46 Sigaleri.
47 Pattalamman eri.
48 Dasagoundan eri.

Namakkal taluk.

49 Ottanai kuttai.
50 Sinna kuttai.
51 Semman kuttai.
52 Govindapillai eri.
53 Tank.
54 Edayapatti tank.

Districtwar list of works taken up for execution during 1935-36 und[e] the special accelerated and widespread programme of improvements t[o] minor works of irrigation—*cont.*

Serial number and name of work.

SALEM DISTRICT—*cont.*

Omalur taluk.

55 Gollapatti eri.
56 Vengakkal eri.
57 Thalal kuttai.
58 Selavadi tank.
59 Vyran eri.
60 Vanavasi tank.
61 Pudu eri.
62 Karavalli eri.
63 Ittuppan eri.
64 Sembanur tank.

Rasipuram taluk.

65 Sekkan kuttai.
66 Aravankattu kuttai.
67 Vannan kuttai.
68 Ranganai tank.
69 Namagiripet tank.

Tiruchengodu taluk.

70 Srinivasampalaiyam eri.
71 Tadan kuttai.
72 Varateri tank.
73 Pillukurichi eri.
74 Kasba tank.
75 Kongarapalayam kuttai.
76 Amman kuttai.
77 Narayanapalayam tank.

TANJORE DISTRICT—Rs. 30,000.

Tanjore taluk.

1 Pagadakudi eri.
2 Manian eri.
3 Mulakudi eri
4 Serandi eri.
5 Ela eri.
6 Kilapudayan eri.
7 Chinna Anikan eri.
8 Periyakulam eri of Surakudipatti.

Pattukkottai taluk.

9 Kannu kulam.
10 Arsuthi eri
11 Manickaran eri.
12 Padarakulam eri.

Arantangi taluk.

13 Madathivayal eri.
14 Moovanur eri.
15 Kannan eri.
16 Parithivayal eri.
17 Kodakudi south tank.
18 Kavanur eri.
19 Panjatur tank.
20 Minnamoli tank.

TINNEVELLY DISTRICT—Rs. 75,000.

Nanguneri taluk.

1 Tamarai kulam.
2 Padayalar kulam.

Serial number and name of work.

TINNEVELLY DISTRICT—*cont.*

Nanguneri taluk—cont.

3 Thiruvengadanathapuram tank.
4 Sengalakurichi.
5 Peria kulam.
6 Thamarai kulam.
7 Kaluvur kulam.
8 Sriraman tank.
9 Hanumarpudu kulam.
10 Aria kulam.
11 Pothaiadi tank.
12 Vallianeri tank.
13 Kilakadamban kulam.
14 Palathi kulam.
15 Sithur tank.
16 Pullalankurichi tank.
17 Alidaikurichi kulam.
18 Pavarithottam tank.
19 Veera kulam.
20 Kanchipuramkondan tank.
21 Suthatti kulam.
22 Korkaneri tank.
23 Nochi kulam.

Tenkasi taluk.

24 Pasupadaperi kulam.
25 Srikrishnamettu kulam.
26 Velviluthi kulam.
27 Karisal kulam.
28 Kuttalaperi kulam.
29 Parai kulam.
30 Pettai kulam.
31 Naranaperi kulam.
32 Yegnanarayanathiruthu kila kulam.
33 Kilamari kulam.
34 Maravan kulam.
35 Chinnamaravan kulam.
36 Sembodai kulam.
37 Thattanpattu kulam.
38 Sriparameswaran kulam.
39 Pallakurichi kulam.
40 Pattai kulam.
41 Kalkutti kulam.
42 Kadamban kulam.
43 Kurippan kulam.
44 Narayanaperi tank.
45 Sivalaperi tank.
46 Shenbagadevi tank.
47 Parvathi kulam.
48 Ayanar kulam.
49 Thiruvengadaperi tank.
50 Periapoolan kulam.
51 Melathathan kulam.
52 Kandamangalam.
53 Pampuli periya kulam.
54 Vettayal kulam.
55 Kulasegaraperi tank.
56 Surandai periya kulam.

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Districtwar list of works taken up for execution during 1935-36 under the special accelerated and widespread programme of improvements to minor works of irrigation—*cont.*

Serial number and name of work.

TINNEVELLY DISTRICT—*cont.*

Sankarankoil taluk.

57 Ilangulam tank and four Illankulam supply channel.
58 Manikandaperi kulam.
59 Pungan kulam.
60 Vella kulam.
61 Kaduvetti kulam.
62 Peria kulam.
63 Pancha kulam.
64 Arachipatti kulam.
65 Panayadi kulam.
66 Neppai kulam.
67 Veppan kulam.
68 Vannaneri kulam.
69 Karisal kulam.
70 Varagasamudram kulam.
71 Peria kulam.
72 Ilandai kulam.
73 Manalthuri kulam.
74 Periachetti kulam.
75 Athiuthu kulam.
76 Therkumanal kulam.
77 Ayyakonandal kulam.
78 Nedungulam.
79 Melanalantula kulam.
80 Parai kulam.
81 Chinnapanchamannar kulam.
82 Periakovan kulam.
83 Thonugal kulam.

TRICHINOPOLY DISTRICT—Rs. 75,000.

Trichinopoly taluk.

1 Vagai kulam.
2 Mulli kulam.
3 Olaman kulam.
4 Sankara kulam.
5 Varagarandi kulam.
6 Sakkaravelan.
7 Alam kulam.
8 Mangudi kulam.
9 Pappankudi kulam.
10 Pukka kulam.
11 Vanniar kulam.

Perambalur taluk.

12 Peria eri.
13 Perumapalayam tank.
14 Sirugudal tank.
15 Adakkanur tank.
16 Vengannai eri.
17 Murugangudi tank.
18 Morkulam.
19 Periyakoil.
20 Ranjangudi tank.
21 Mangalam Tangal eri.
22 Tank.
23 Big tank.

Serial number and name of work.

TRICHINOPOLY DISTRICT—*cont.*

Udaiyarpalaiyam taluk.

24 Arasan kulam.
25 Nanniyur periya eri.
26 Sitheri.
27 Pappan eri.
28 Periya eri of Kovil valkai.
29 Nettalankurichi periya eri.
30 Sattira kulam.
31 Periamarian eri.
32 Sitheri.
33 Neduvalaiadi eri.
34 Peria eri.
35 Valavan eri.
36 Vannan eri.

Musiri taluk.

37 Alankulam tank.
38 Mullipadi kuttai.
39 Eri.
40 Eri.
41 Eri.

Lalgudi taluk.

42 Uru eri.
43 Sholanganallur eri.
44 Konalai tank.
45 Kalpalayam tank.
46 Tank.
47 Nedungur eri.
48 Vadakku eri.
49 Peria eri.
50 Palayur tank and supply channel.
51 Rasan eri.

Kulittalai taluk.

52 Kothampatti kulam.
53 Kosavan kulam.
54 Peria eri.
55 Peria eri
56 Manapparai kulam.
57 Eri.
58 Tank.

Karur taluk.

59 Karuvadunaikan kulam.
60 Senappatti kulam.

VIZAGAPATAM DISTRICT—Rs. 25,000

Sarvasiddhi taluk.

1 Thirumalaiah tank of Regupalem.
2 Beherdas tank of Yerravaram No. 31.
3 Ura tank of Yerravaram No. 31.
4 Jagannadharaju tank of Yerravaram No. 31.
5 Yerrayya tank of Somavaram.
6 Geddakattu of Krishnapuram.
7 Ura tank of Pulaparthi.
8 Sudipuram tank of Sarvasiddhi and Peta-sudipuram.

Districtwar list of works taken up for execution during 1935–36 under th special accelerated and widespread programme of improvements to minc works of irrigation—*cont.*

Serial number and name of work.

VIZAGAPATAM DISTRICT—*cont.*

Sarvasiddhi taluk—cont.

9 Masidu tank of Sudipuram.
10 Kotta tank of Kothali.
11 Thimmayya tank of Regupalem.
12 Yeerayya tank of Regupalem.

Golgonda taluk.

13 Mosuriavani tank of Amalapuram.
14 Yerakannapalem tank of Yerakannapalem
15 Pylavani tank of Golgondapeta.
16 Medisettivani tank of Yendapalli.
17 Chinnappiah tank of Vaddepa.
18 Mallamma tank of Sarabhavaram.
19 Sarvasiddhi tank of Jalluru.
20 Byravabhupathivani tank of Gunupudi.
21 Gantavani tank of Mulagapudi Bennavaram.
22 Pedda tank of Yellavaram Dondapeta.
23 Regula tank of Cherlopalem.
24 Sanyasipatruni tank of Pamulavaka.
25 Somayajulu tank of Vemulapudi.
26 Ramanna tank of Balighattam.
27 Yerramma tank of Bonnabhupalapatnam.
28 Kalavala tank of Butchempeta.

Serial number and name of work.

VIZAGAPATAM DISTRICT—*cont.*

Golgonda taluk—cont.

29 Mullappa tank of Chettupalli.
30 Animireddivari tank of Pusarlapudi.
31 Vajragedda tank of Vajragada.
32 Rallakonda tank of Jalluru.
33 Naganna tank of Jalluru.

Palkonda taluk.

34 Bhamidipativani tank of Adaru.
35 Jarrivani tank of Adaru.
36 Bollagedda of Vone.
37 Akkanna Naidu tank of Amaram.
38 Arjunaini tank of Kothapeta.
39 Yerra tank of Jaftikodulagummada.
40 Varahalavani Toomu of Chilakapalli.
41 Gedda tank of Devakivada.
42 Kurmasagaram tank of Thotavada.
43 Bathula tank of Magguru.
44 Rayamalli tank of Magguru.
45 Sangan Naidu tank of Magguru.
46 Ramaswamivani tank of Vangara.
47 Vura tank of Gudivada.
48 Padmasagaram of Padmapuram.
49 Kathulavani tank of Sivvam.

APPENDIX XXIX.

[Vide item VIII (15) at page 107 supra.]

DEVELOPMENT DEPARTMENT.

U.O. NOTE No. 1265-III/36-2, DATED 7TH APRIL 1936.

[Communication to the Legislative Council.]

With reference to the answer given to question No. 981 at the meeting of the Legislative Council held on 18th March 1936, the following information is placed on the table:—

(*a*) (1) The total extent of wet land is 44 acres and dry land 1 acre and 50 cents. The sites for office buildings, quarters for staff, road and cart-tracks occupy another 5 acres.

As the station lands are classed as Revenue Poramboke, no kist is paid by this station.

(2) The average annual income obtained is about Rs. 4,000 including cost of seed transferred to the Deputy Directors of Agriculture for distribution to the landholders in the various Circles of the Presidency.

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The average expenditure incurred, excluding the pay and allowances of officers, is about Rs. 8,000. Out of this amount the average working expense is only Rs. 6,827 (vide statement No. I).

(3) The average outturn of paddy varies according to the strain or variety grown. The detailed answer to this point can be seen from statement No. IV showing average acre yield before and after the advent of the Mettur Project furnished as an answer to point (*b*) (4). The average acre yield for kuruvai season crop is 2,660 lb., samba crop 2,400 lb., second crop or thaladi 1,750 lb., and udu 4,000 lb.

(4) The statement No. II gives net profit obtained from single, double and udu crops from wet lands both for produce sold as seed or as paddy for consumption.

(*b*) (1) Twelve strains have already been released from this station for general cultivation so far. But it is not possible to say which strain is most suitable for the whole of Tanjore district. In general it may be stated that Adt. 1 (red sirumani), Adt. 2 (white sirumani), Adt. 3 (early kuruvai), Adt. 8 (early white sirumani), and Adt. 10 (korangu samba) are those that have been found to do well in the eastern half of the delta while Adt. 4 (kuruvai strain), Adt. 5 (Nellore samba), Adt. 6 (red ottadan), Adt. 7 (white ottadan), Adt. 9 (poonkar), Adt. 11 (small grained Nellore samba) and Adt. 12 (chitrakali) have been found to do well in the western half of this delta. On a conservative estimate the area already covered by the above strains in this district will be more than 4 lakhs of acres. With the exception of the ottadan strains Nos. 6 and 7, all the other strains have spread out into very many other districts of this Presidency, particularly the districts of Trichinopoly, North and South Arcot, Coimbatore, Salem, Madura and Tinnevelly.

The percentage increases given by the paddy strains of the station that have replaced the unselected varieties previously grown are given below:—

			Percentage of increase.
Adt. 1	strain from	red sirumani bulk	16
„ 2	„	white „	10
„ 3	„	kuruvai bulk	Advantage of earliness.
„ 4	„	„	12
„ 5	„	Nellore samba bulk	25
„ 6	„	red ottadan bulk	13
„ 7	„	white „	13
„ 8	„	a cross between Adt. 2 (white sirumani) and molagu samba	8
„ 9	„	poonkar bulk	13
„ 10	„	korangu samba bulk	9
„ 11	„	a small grained Nellore samba ..	6
„ 12	„	chitrakali bulk	7

Taking the average increase of each strain as 10 per cent over the unselected varieties and taking 30 kalams of paddy as the average yield per acre for the whole district, the extra yield given by merely growing the station strains in 4 lakhs of

acres will be 12 lakhs of kalams per year or 18 lakhs of rupees in money value taking Rs. 1-8-0, as the price per kalam.

Further results of research in paddy are given below:—

Strain ready for release with station number as Adt. 13.—A strain for sanna samba variety is ready for release during the coming season as Adt. 13 giving over 6 per cent increase over the bulk variety.

Strains ready for district trials.—A mutant strain giving 30 per cent increase over Adt. 4 (kuruvai) which itself is 10 per cent superior to the ryots' variety will be given out in both Trichinopoly and Tanjore districts for trial in ryots' fields during the coming season.

A strain evolved from a cross between kunhivith paddy and kuruvai, giving sirumani type of grain for growing during kuruvai season is also ready for district trial.

Three strains evolved from a cross between korangu samba (a variety highly susceptible to blast disease) and GEB. 24 (a highly resistant strain to the disease) are also ready for district trial. These strains have been found to be comparatively more resistant to the disease than Adt. 10 (a korangu samba strain already released). All these strains give also increased yields ranging from 10 to 20 per cent.

Strains still under trial.—A large number of strains in the following varieties is in varying stages of trial and it is hoped that within the next three years a strain from each of them will be ready for release to the ryot for growing:—

Vellai kuruvai.	Pedda samba.
Kona kuruvai.	Muthu samba.
Arubatham kuruvai.	Malagulukulu.
Sarapalli.	Thattan samba.
Chinna samba.	

Single plants.—One thousand five hundred single plants selected from cross progenies of Adt. 2 × Adt. 3, Adt. 4 × GEB. 24 and Adt. 2 × Adt. 4 for evolving fine types of paddy with short duration for growing in the kuruvai season in the old delta and also for growing in the Mettur Project area are under intensive study. There are a large number of other single plants evolved from various crosses, too numerous to mention, under study, for evolving suitable strains.

Manurial trials.—The following manurial trials are under way:—

(1) Effect of various doses of bonemeal on different rates of dressings of leaf to know the best combination.

(2) Effect of ammonical Nitrogen and nitric Nitrogen by themselves and as mixture in varied combinations.

(3) Molasses as a manure for paddy.

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Green manure crops for paddy.—The possibility of growing daincha as a summer crop for manuring the following kuruvai fields by sowing the seed in the previous thaladi crop and raising sunnhemp in samba fields after the receipt of water in the channels in June was demonstrated with success during the past three years. This practice has become a routine on the station and is one of the most profitable items of improvement for the ryots of the Tanjore district to copy universally.

(2) In the nature of things, it is an impossibility for this research station to meet all the seed requirements of the Tanjore district. From the large number of applications received in the district and direct by the superintendent of the station, it may be safely said that even a tenth of the demand could not be met from the quantity grown on the station.

(3) The reason for giving an answer in the negative are the following:—

Out of a total area of 44 acres of paddy fields available for raising single and double crops it would be found from statement No. III attached that only 37·42 acres could be utilized for multiplying seeds of various strains for distribution to the ryots, the remaining area being utilized for experiments on paddy and the trial of other crops like sugarcane, plantains, soya beans, fodder crops, turmeric, etc. These 37 and odd acres yield anything from 60,000 to 70,000 lb. paddy depending upon the season, annually. This quantity will be sufficient to plant about 3,000 to 3,500 acres if the ryots adopt 20 lb. as the seed rate per acre as the station does. In case they adopt their usual rate of 40 lb. per acre the areas will be only half of those given above. But the area under paddy at present is about 10 lakhs of acres and if the projected paddy area under Mettur system is to be included it would be over 13 lakhs of acres. From this it could be seen that the quantity of seed required for covering this huge area will be in the neighbourhood of 26,000,000 lb. or 4 lakhs of kalams. This means that 13,000 acres should be grown with our strains for putting every acre in Tanjore district under them. The department is endeavouring its best to induce prominent ryots in various parts of the district to multiply these strains in their holdings so that they and their neighbours can reap the benefit flowing from the use of these strains. If 1,300 ryots of the district could raise the strains in 10 acres of their land every year, the problem of seed supply for the whole district would solve itself.

(4) The information wanted is furnished in statement No. IV enclosed.

C. A. Henderson—3-4-36.

STATEMENT No. I.

Statement showing total expenditure under the several heads at the Agricultural Research Station, Aduturai, for the years 1933–34, 1934–35 and 1935–36.

Particulars.	1933–34.	1934–35.	1935–36.	Average
	RS.	RS.	RS.	RS.
Petty construction and repairs	330	649	500	493
Miscellaneous	340	350	303	331
Live and dead stock	200	251	317	256
Working expenses	6,700	6,800	6,982	6,827
Apparatus and materials	50	48	50	49
Total ..	7,620	8,098	8,152	7,956

STATEMENT No. II.

Statement showing cost of cultivation of, and profit from, paddy per acre at the Agricultural Research Station, Aduturai, for 1935–36.

Kind of crop	Cost of cultivation	Yield of grain.	Yield of straw estimated.	Value of grain.	Value of straw.	Total value.	Profit.	Net profit after deducting kist.
	RS.	LB.	LB.	RS.	RS.	RS.	RS.	RS.
Udu sold as seed-Kuruvai Ottadan.	55	2,186 1.670 2,186	4,000	113	20	133	78	68
Udu sold as paddy	55	1,670	4,000	75	20	95	40	30
Double crop sold as seed-Kuruvai.	39	2,690	3,000	79	15	94	55	38
Double crop sold as paddy ..	39	2,690	3,000	53	15	68	29	12
Thaladi sold as seed	26	1,807	2,000	57	10	67	41	41
Thaladi sold as paddy ..	26	1,807	2,000	42	10	52	26	26
Samba sold as seed	33	2,278	2,500	71	13	84	51	41
Samba sold as paddy ..	33	2,278	2,500	53	13	66	33	23

Note.—As seed, the grain is priced at Rs. 1–14–0 per 64 lb for kuruvai and ottadan crops, and at Rs. 2 per 64 lb. for sirumani and samba in the thaladi and samba crops.

As paddy, the grain is priced at Rs. 1–4–0 per 64 lb. for kuruvai and ottadan crops, and at Rs. 1–8–0 per 64 lb. for sirumani and samba in the thaladi and samba crops.

Straw is priced at 8 annas for 100 lb.

Cost of production does not include assessment and water-rate as the station land is considered as Government poramboke.

STATEMENT No. III.

Statement showing the area devoted to seed multiplication and experiments on the Agricultural Research Station, Aduturai, in 1935–36.

Total area of wet land .. .. .. 44·00 acres.

—	Area devoted to seed multiplication of paddy strains.		Area used for experiments on paddy.		—	Area used for trial of other crops than paddy.	
	ACRE.	CENTS.	ACRE.	CENTS.		ACRE.	CENTS.
Kuruvai ..	6	32	4	53	Sugarcane ..	2	67
Thaladi or second crop.	11	[illegible]0	..	..	Turmeric ..	..	45
					Plantains ..	1	3
Samba ..	20	10	6	68	Pillipesara ..	1	10
					Soya bean as main crop.	1	14
					Soya bean after early samba.	1	20
Total ..	37	12	11	21		7	59

STATEMENT No. IV.

Statement showing the average yearly acre yields in lb. of the Aduturai strains grown on the Agricultural Research Station, Aduturai.

Name of strains.	Pre-Mettur era.								Post-Mettur era.				Remarks.
	1926–27.	1927–28.	1928–29.	1929–30.	1930–31.	1931–32.	1932–33.	Average.	1933–34.	1934–35.	1935–36.	Average.	
					Kuruvai pure (followed by second crop).								
Adt. 3 Bk. Early Kuruvai.	2,175	3,376	Not grown as Bk.	3,058	2,517	2,247	1,750	2,521	2,416	3,085	2,558	2,586	
Adt. 4 Bk. Ordinary Kuruvai.	2,054	3,029	1,695	2,409	2,545	2,511	1,650	2,270	1,911	2,714	2,380	2,335	
Adt. 9 Bk. Poonkar ..	..	..	..	..	..	..	..	..	3,372	3,718	3,415	3,502	Released in 1933–34 only.
Adt. 12 Bk. Chitrakali.	..	..	..	..	..	..	..	..	2,842	3,031	2,380	2,751	Do.
					Main Samba crop.								
Adt. 1 Bk. Red Sirumani.	2,573	2,072	2,418	2,685	2,478	2,305	2,506	2,434	1,765	3,227	2,500	2,497	
Adt. 2 Bk. White Sirumani.	2,483	2,406	2,290	2,319	2,753	2,097	2,327	2,382	1,820	3,124	2,180	2,375	
Adt. 5 Bk. Nellore Samba.	2,296	2,568	2,070	2,215	2,040	2,593	2,438	2,317	1,491	3,351	2,700	2,514	
Adt. 8 Bk. Early Sirumani White.	..	..	2,700	2,550	2,389	1,948	2,219	2,361	1,870	3,158	2,730	2,586	Released in 1928–29 only.
Adt. 10 Bk. Korangu Samba.	..	..	..	..	..	..	2,580	2,580	2,284	3,150	2,500	2,645	Released in 1932–33 only.
Adt. 11 Bk. Nellore Samba (small size).	..	..	..	..	..	..	2,426	2,426	1,635	2,948	2,900	2,494	Do.
AEB. 65 Bk. Nellore Samba (small size).	2,315	2,520	2,625	2,716	2,321	2,465	2,230	2,456	1,404	2,061	Not grown.	1,733	

STATEMENT NO. IV—*cont.*

Statement showing the average yearly acre yields in lb. of the Aduturai strains grown on the Agricultural Research Station, Aduturai—*cont.*

Name of strains.	Pre-Mettur era.								Post-Mettur era.				Remarks.
	1926–27.	1927–28.	1928–29.	1929–30.	1930–31.	1931–32.	1932–33.	Average.	1933–34.	1934–35.	1935–36.	Average.	
					Second crop (Thaladi).								
Adt. 1 Bk.	803	1,303	1,726	1,798	1,944	875	1,854	1,493	1,649	2,030	1,820	1,833	
„ 2 Bk.	944	1,481	1,081	1,574	1,739	1,845	2,000	1,523	1,567	1,986	1,700	1,751	
„ 5 Bk.	..	1,583	1,942	2,096	2,213	1,870	Not grown.	1,941	Not grown.	Not grown.	Not grown.	..	
„ 8 Bk.	..	..	..	1,478	1,560	1,289	1,856	1,546	1,686	1,997	1,750	1,811	
„ 11 Bk.	..	..	..	..	..	..	..	..	1,556	1,911	1,422	1,864	
AEB. 65 Bk.	..	1,808	1,851	1,796	1,610	1,790	1,599	1,742	2,660	Not grown.	1,422	2,041	
					Udu crop.								
Adt. 3 Bk.	1,764	1,988	1,370	2,567	1,726	Not grown.	1,300	1,786	2,010	1,984	1,999	1,998	
„ 4 Bk.	1,799	2,239	1,711	2,637	1,897	2,124	Not grown.	2,068	Not grown as Udu mixture.		..	..	
„ 6 Bk. Red Ottadan.	1,045	1,518	1,570	1,903	1,867	1,997	1,902	1,686	2,078	2,315	1,675	2,023	
„ 7 Bk. White Ottadan.	1,231	1,880	1,540	2,036	1,674	2,174	2,475	1,859	2,196	2,300	1,900	2,132	
„ 9 Bk.	..	..	..	..	..	..	..	..	..	2,057	3,110	2,583	

N.B.—A kalam of 24 Madras measures is equal to 64 lb.

APPENDIX XXX.

[Vide item VIII (16) at page 107 supra.]

DEVELOPMENT DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 721, at the meeting of the Legislative Council, held on 4th February 1936, copy of G.O. No. 963, Development, dated 15th June 1936, in which orders were passed regarding the restoration of forest concessions in the South Kanara district is laid on the table of the House.

C. J. PAUL—15-6-36.

ENCLOSURE

G.O. No. 963, *Development, dated* 15*th June* 1936.

In 1922, the Chief Conservator of Forests granted the following concessions to the ryots of the South Kanara district:—

(*a*) Permission to clear undergrowth in all reserves (except those near the coast) to a distance of half a mile from the limits of private holdings;

(*b*) in the reserves near the coast, permission to clear undergrowth to a distance of 200 yards from the limits of private holdings;

(*c*) permission to clear undergrowth in all areas sown with Hopea; and

(*d*) permission for the free removal of—

(i) green manure leaves of unclassified species and dry leaves of all species; and

(ii) dead fuel.

These concessions were granted on the following conditions:—

(1) that if in any forest they were in any way abused they would be cancelled in such forest; and

(2) that the forests in which they were granted should not be burnt and that if accidental fires occurred the ryots should afford necessary help to extinguish them without delay.

2. But in spite of repeated warnings these concessions were greatly abused by the ryots and the Chief Conservator of Forests recommended that they might be withdrawn. The Government accepted the recommendation and directed that the concessions might be withdrawn gradually with effect from 1st April 1933 after giving due notice to the ryots affected and that a beginning might be made with the six reserves where the concessions were reported to have been most abused and situated farthest from the sea, the six sandalwood reserves in the North Mangalore Division and the Veeracumba reserve in the South Mangalore Division. The Government also directed that the areas in which the concessions

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were in force should be divided into two classes, viz., (1) areas where the concessions were abused and therefore their withdrawal was desirable, and (2) areas where sylvicultural interests necessitated the non-exercise of the concessions. In regard to the latter the Government stated that the concessions might be withdrawn in accordance with the working plans, a report being submitted to Government specifying the areas so closed while in the case of the former, they stated that the concessions could be withdrawn after obtaining the previous sanction of Government in each case and after giving due warning to the people affected.

3. The withdrawal of the concessions gave rise to a number of interpellations in the Legislative Council. Several other representations were also received by the Government. In consequence, the Hon'ble the Law Member inspected the forests in December 1935. As a result of the inspection, the Government have decided that the following concessions should be restored in the reserves which were closed to the concessions granted in 1922 on the ground that they had been abused.

(1) *Removal of dry leaf.*—It was represented during the inspection that the withdrawal of this concession has affected the crops considerably and that dry leaves would be of immense help to the ryots for manuring purposes. The Government are satisfied that there is a certain amount of truth in these representations and therefore direct that the ryots should be allowed to remove dry fallen leaves free.

(2) *Removal of dry wood.*—This concession has been abused but in view of the fact that the people had been enjoying it for a long time and as its withdrawal is said to have caused much hardship, the Government are pleased to direct that pieces of firewood, whatever be the girth, should be allowed to be removed free, provided that the wood is fallen and not cut. Timber and valuable wood like teak, sandal or rosewood should however not be allowed to be taken away, even if they had fallen down of their own accord. The Chief Conservator of Forests is also requested to warn the villagers that this concession will be cancelled if it is found that wood is cut whether in a dry or green state.

These concessions will be permitted also in the six sandalwood reserves, which were closed to the concessions, subject to the condition that no sandalwood, even if dead or fallen, is removed. These orders will not however apply to the reserves which are closed to the concessions on sylvicultural grounds.

4. It was represented to the Hon'ble the Law Member during his inspection that Forest subordinates are pressing the villagers to purchase grazing permits even though they do not want them. The Chief Conservator of Forests is requested to issue special instructions to his subordinates that no pressure should be brought to bear on the villagers in the matter of purchasing grazing permits and to see that no room is given for such complaints in future.

(By order of the Governor in Council)

C. J. PAUL,
Secretary to Government.

To the Chief Conservator of Forests.

APPENDIX XXXI.

[Vide item VIII (17) at page 107 supra.]

NOTIFICATION.

Fort St. George, July 20, 1936 (*G.O. No.* 3169, *L.S.G.*).

Whereas by Revenue Department Notification No. 252, dated the 12th August 1935, published at page 1164 of Part I of the *Fort St. George Gazette*, dated the 20th August 1935, the limits of the revenue districts of Anantapur and Cuddapah have, with effect from the 1st October 1935, been altered in certain respects so that the boundary between the revenue districts may coincide with the boundary laid down in the original survey of 1870; and

whereas, in the opinion of the Governor acting with Ministers, it is necessary for purposes of administrative convenience to make the same alterations in the limits of the areas comprised within the jurisdiction of the Anantapur and Cuddapah District Boards:

Now therefore, in exercise of the powers conferred by sub-section (3) of section 3-A of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Governor acting with Ministers is hereby pleased with effect on and from the 1st August 1936—

(1) to exclude the local areas specified in Schedule A below from the Cuddapah Local Fund District, and include the same in the Anantapur Local Fund District; and

(2) to exclude the local areas specified in Schedule B below from the Anantapur Local Fund District and include the same in the Cuddapah Local Fund District.

SCHEDULE A.

llage in Cuddapah Revenue district in which included before 1st October 1935.		Village in Anantapur Revenue district in which included after 1st October 1935.		Area.
ober.	Name.	Number.	Name.	
1)	(2)	(3)	(4)	(5)
				ACS.
2	Kommannutula	1	Budanampalle	24·00
	Do.	6	Kodavandlapalle	0·80
}	Murarichintala	13	Dorigallu	75·52
	Do.	14	Timmanayanipalem	20·48
2	Erraballa	15	Mallepalle	42·59
	Do.	19	Kondaguttapalle	17·60
	Do.		Do.	223·36
6	Kanampalle		Do.	178·56
	Do.	46	Odulapalle	5·60
	Do.		Do.	306·24
3	Velpula	47	Udumulakurti	165·12
5	Midipentla		Do.	20·32
	Do.	49	Peddannavaripalle..	84·00
			Total ..	1,164·19

SCHEDULE B.

Village in Anantapur Revenue district in which included before 1st October 1935.		Village in Cuddapah Revenue district in which included after 1st October 1935.		Area.
Number. (1)	Name. (2)	Number. (3)	Name. (4)	(5) ACS.
		PULIVENDLA TALUK.		
1	Budanampalle	2	Kommannutula	15·20
6	Kodavandlapalle		Do.	97·16
7	Mortadu		Do.	46·20
13	Dorigallu		Do.	27·04
	Do.	3	Murarichintala	310·48
14	Timmanayanipalem	5	Ambakapalle	233·92
15	Mallapalle		Do.	105·12
	Do.		Do.	42·08
	Do.	12	Erraballa	56·80
19	Kondaguttapalle		Do.	227·52
47	Udumulakurti	23	Velpula	1·60
	Do.	25	Midipentla	196·32
	Do.		Do.	23·20
48	Vepamanipeta		Do.	86·72
	Do.		Do.	26·08
49	Peddannavaripalle		Do.	92·44
	Do.		Do.	64·00
	Do.	29	Tallapalle-Velamvaripalle ..	1,853·92
		RAYACHOTI TALUK.		
40	Peddannavaripalle	30	Komarakalva	103·20
	Do.		Errabommanapalle	204·80
			Total ..	3,813·80

T. B. RUSSELL,
Secretary to Government.

APPENDIX XXXII.

[Vide item VIII (18) at page 107 supra.]

NOTIFICATION.

Fort St. George, July 31, 1936 (G.O. Ms No. 1777, Public Works).

In exercise of the powers conferred by clauses (*a*) and (*b*) of sub-section (1) o section 3 of the Madras Government Roads Traffic Control Act, 1931 (Madra Act V of 1931), the Governor acting with Ministers is hereby pleased to make th following amendments to the rules for the use of, and regulation of traffic on, th Tellicherry-Coorg and the Calicut-Chundale-Nilgiri Frontier roads published with Public Works and Labour Department Notification No. 217, dated the 20th May 1931, at page 692 of Part I of the *Fort St. George Gazette*, dated the 26th May 1931:—

AMENDMENTS.

1. In rule IV of the said rules—

(i) for clauses (*a*), (*b*) and (*c*), the following clauses shall be substituted, namely:—

"(*a*) carry any load of timber or other material weighing over two candies in all on a vehicle fitted with tyres of less than 4 inches in width; or

(*b*) carry or drag any load of timber or other material, more than 20 feet in length (*i*) except in a motor lorry, or (*ii*) during the period between half an hour after sunset and half an hour before sunrise, without providing a red light at the extreme rear end of the load, or

(*c*) load any timber or other material on, or unload any timber or other material from, any vehicle on the highway of the road between the side drains; or "

(ii) in clause (*f*) the word "or" occurring at the end shall be omitted; and

(iii) clause (*g*) shall be omitted.

2. Rule V of the said rules shall be omitted and rules VI to X shall be renumbered V to IX respectively.

3. In clause (c) of rule VI of the said rules as renumbered, for the words and figure " to the nearest office established under rule V for purpose of ascertaining " the words " to Tamarasseri, Lakidi or Irritty, whichever is nearest for the purpose of ascertaining " shall be substituted.

4. In rule VIII of the said rules as renumbered, for the words and figures " any of the above rules III, IV, VI, VII and VIII," the words and figures " rules III, IV, V, VI or VII " shall be substituted.

W. SCOTT BROWN,
Secretary to Government.

APPENDIX XXXIII.

[Vide item VIII (19) at page 107 supra.]

G.O. No. 1390, Revenue, dated 29th June 1936.

The Government have received the proposals of the Special Settlement Officer, No. I Party, for the re-settlement of all the taluks in the Guntur district. The re-settlement of this district fell due in fasli 1344 in all the taluks except the Ongole taluk and is due in the Ongole taluk in fasli 1346.

2. The Special Settlement Officer's proposals for re-settlement were published in the *Guntur District Gazette* on 7th August 1935 and three months time was allowed for the receipt of criticisms. The period of three months allowed expired on 6th November 1935. The Special Settlement Officer's proposals were laid on the table of the Legislative Council on 5th August 1935 and on 8th August 1935 a resolution in the following terms was moved in the Legislative Council:—

> ' This Council recommends to the Government that the re-settlement report of the Guntur district should not be given effect to until a committee consisting of four members to be elected by this Council, the Member of the Board of Revenue in charge of settlement, the Collector of the district and the Revenue Member as the Chairman of the Committee, submits its report after thorough enquiry.'

The resolution was, after discussion, carried in the Council.

3. Altogether 226 representations were received, of which 211 were received within the time prescribed for the receipt of the objections. The Government have carefully considered the representations made in the various memorials and also the recommendation made in the resolution of the Legislative Council referred to above.

4. It has been urged both in the memorials and in the speeches of the Members of the Legislative Council on the Legislative Council Resolution that the re-settlement should not be undertaken in view of the impending constitutional changes under which autonomy will be bestowed on the Provincial Government. It was also urged that as recommended by the Joint Parliamentary Committee the question of re-settlements should be left for the decision of the Legislative Council.

The Government have explained their position in this respect on more than one occasion, in the Legislative Council. Certain attempts at land revenue legislation have already been made but have proved unsuccessful and in view of the impending constitutional changes the Government do not propose to take at this stage any further steps towards legislation on the settlement of land revenue. The Government have, however, given their careful consideration to the question of the policy that should be followed in this matter pending the inauguration of the new constitution and have announced their policy in the matter in the Press Communiqué, dated 12th December 1935. According to this policy, the resettlement operations will be carried on in accordance with the principles hitherto adopted and any increase, which is justified on those principles will be determined. The Government will not, however, actually impose any percentage enhancement based on a consideration of prices but will leave it to the Government that will be constituted under the Government of India Act to decide whether or not the enhancements should be collected in such cases. Other changes such as reclassification, regrouping, etc., which are not based on a consideration of prices will be brought into effect as hitherto. The resettlement of the Guntur district will be in accordance with the policy laid down. The Government would also point out that the changes relating to reclassification and regrouping which alone will be introduced now will result, actually, so far as this district is concerned, in a reduction in the Government revenues now payable.

5. One of the main contentions put forward in the memorials is that the economic condition of the tract has not improved materially since the last resettlement, and in support of this contention it is urged that irrigation works have not been improved, that no material advantage has been derived from the improvement in communications, that the indebtedness of the ryots has increased, that ryots are unable to pay the existing assessment and that the so-called increase in sale value is due to rivalry among purchasers and does not indicate any prosperity. The Government, however, observe from the facts set forth by the Special Settlement Officer in paragraphs 12 to 41 of the scheme report that the economic condition of the district has improved to a noticeable degree during the currency of the resettlement period. The statement that very little has been spent on irrigation entirely ignores the several improvements to irrigation works referred to by the Special Settlement Officer in paragraph 12 of his report. A sum of Rs. 20·63 lakhs has been spent in the delta and a number of important projects have been undertaken and completed in the uplands. The statement that the area has not benefited by the improvement in communications is of a general nature, and the Government cannot accept it as correct. Nor do the Government consider that there is any real increase in the indebtedness of the ryots. The assessment has been paid without difficulty and there has been a substantial and general increase in the sale and lease value of lands. The enquiry into the economic condition of select villages has shown that the greater proportion of the debts was incurred for the purchase of new lands and this proves clearly that the rates of assessment

were reasonable and that agriculture was profitable. The Government are satisfied, from an examination of the several factors, which indicate the economic development of the area under consideration in its relation to land revenue, that the existing rates of assessment have not impeded the economic development of the area and that there has been a marked and very substantial increase in the prosperity of the ryots.

The Government would, however, point out in this connexion that the factors mentioned above have no direct relation to the revision of rates which is based entirely on the increase in level of prices. The rise in the prices of the standard crops has heen large during the 20 years ending fasli 1343, the increase in the delta for wet crops being 125 per cent and for dry crops 110 per cent. In the uplands the increase for wet crops is 90 per cent while for dry it is 143 per cent. Representations have been made that in calculating these increases, the prices prevailing during the years immediately succeeding the war have heen included. Although under the rules governing the resettlements there is no provision for excluding prices ruling in such years from the calculation, the Government desire to point out that even if such years (1918–19 to 1928–29) are excluded and the prices are calculated for the remaining years, the prices still show a substantial increase. In the delta the prices for paddy show a rise of 64 per cent while the price of cholam shows an increase of 51 per cent. In the uplands the price of paddy shows an increase of a little over 66 per cent while the price of cholam shows an increase of 98 per cent. Whatever may be the method of calculation, it is obvious that there has been a very substantial increase in the prices of the standard crops.

6. The proposals of the Special Settlement Officer in respect of the following matters have been supported by the Board of Revenue and are approved: —

(1) Soil classification.

(2) Dry grouping.

(3) Reclassification of irrigation sources.

(4) Standard grains.

(5) Lands within the waterspread of irrigation sources.

(6) Transfers of land from dry to wet.

(7) Baling remission.

(8) Revision of special rates.

(9) Duration of resettlement.

7. *Money rates.*—In paragraph 59 of the scheme report the Special Settlement Officer has recommended that in view of the increase in the price of the standard grains noticed above, the existing wet rates in the delta and in the uplands of the Guntur, Bapatla and Tenali taluks should be increased by $18\frac{3}{4}$ per cent, and that on account of the lower standard of living in the other upland taluks of Narasaraopet, Palnad, Sattenapalle, Vinukonda and Ongole, the wet rates should be increased by only $12\frac{1}{2}$ per cent in those taluks.

As regards dry rates, the Special Settlement Officer has proposed that in the upland tracts of the Tenali, Guntur and Bapatla taluks and in respect of the delta dry lands and the lanka and padugai lands the rates should be enhanced by 18¾ per cent. For the dry lands in the upland taluks, other than Tenali, Guntur and Bapatla, the Special Settlement Officer has proposed an enhancement of only 12½ per cent taking into account the standard of living in those taluks. The Government accept these proposals which, in view of the large rise in prices, cannot be considered other than moderate. In accordance with the new policy of the Government mentioned above, the revised rates will not come into force immediately.

8. *Kistbandi.*—The Special Settlement Officer has proposed that the existing kistbandi in the Vinukonda taluk, viz., 4 annas in January, 6 annas in February and 6 annas in March should be altered to 6 annas in February, 6 annas in March and 4 annas in April and he considers that no change is necessary in the other taluks. The proposals which are supported by the Board of Revenue are approved. The change in the kistbandi of the Vinukonda taluk will, however, take effect only from the fasli in which the revised money rates are brought into force.

9. *Reclassification of permanently improved lands.*—The Special Settlement Officer has reported that there are about 12,102 acres of land classed as permanently improved in the upland villages of the Bapatla, Guntur and Tenali taluks and in the upland taluks of Narasaraopet, Palnad and Sattenapalle. He has proposed that such lands should be classified at this resettlement on the lines mentioned by him in paragraph 64 of the scheme report. The Government approve the proposal. The action of the Board of Revenue in having sanctioned the reclassification in anticipation of the sanction of Government is approved. The Special Assistant Settlement Officer has since submitted his report on the results of the reclassification and has enclosed a draft supplemental notification for the introduction of the revised rates. The Government approve the revised rates proposed by the Special Assistant Settlement Officer.

10. Separate orders will issue regarding (1) the revision of water-cess and (2) the continuance of the levy of the extra charge of one rupee on the wet lands under the Mukkillapadu Sharkuth tank, Vinukonda taluk.

11. The Government await the receipt of the proposals for the revision of ground rent.

12. The draft notifications submitted by the Board of Revenue are approved as amended and are annexed.

(By order of the Governor in Council)

H. R. Uzielli,
Secretary to Government.

ANNEXURE.

NOTIFICATIONS.

I

I. Area and period affected.

The term of thirty years for which the existing rates of land assessment were sanctioned in the several taluks of the Guntur district expired by fasli 1343 (1933-34) in all the taluks except Ongole and will expire in the excepted taluk by fasli 1345. The Government extended the term of the existing settlement by one year in all the taluks except Ongole. In accordance with the undertaking given in the Press Communiqué issued with G.O. No. 2957, Revenue, dated 12th December 1935, the Government will now determine the increased rates of assessment which are justified under the principles of resettlement hitherto adopted leaving it to the future Government to collect the enhancement now proposed or such other enhancement as they may consider appropriate. Changes other than the abovesaid increases of the existing rates referred to in the succeeding paragraphs except paragraph 11 will be carried out in fasli 1346 in all the taluks. The changes indicated in paragraph 11 will be given effect to from fasli 1345.

II. General Policy.

2. The resettlement will be based mainly on the rise in prices of the standard crops since the date of introduction of the last resettlement.

3. For the purpose of the resettlement, the old division of the district into delta and upland will remain generally unaltered.

4. At the last resettlement various allowances and deductions were made to arrive at the net income of the ryots; the same liberal deductions will be allowed at this resettlement also.

III. Classification of soils.

5. (*a*) No general reclassification of soils will be made at resettlement. The system of soil classification now prevalent in the delta and the uplands will be retained. The present arrangement by which soils of equal productive capacity are grouped in tarams and the existing method of notation of the different soils will also be retained.

(*b*) In describing soils the following symbols will be used:—

I means alluvial clay.
II ,, alluvial loam.
III ,, regar clay.
IV ,, regar loam.
V ,, regar sand.
VI ,, red ferruginous clay.
VII ,, red ferruginous loam.
VIII ,, red ferruginous sand.
XII ,, arenaceous loam.
XIII ,, arenaceous sand.
XIV ,, arenaceous heavy sand.

Arabic numerals following the Roman figures denote the sort of the soil. The extra sort for both dry and wet lands under alluvial clay in the delta will be denoted as I-A and the extra sort under regar clay in the second group villages of upland taluks will be denoted as III-1-E and III-2-E.

6. However, the officer in charge of the Settlement Party is authorized to assign a fresh classification or to alter wherever necessary the existing classification in the case of the following lands:—

(*a*) Lands which have been transferred from dry to wet or *vice versa* and from one source of irrigation to another subsequent to the last resettlement;
(*b*) lands which were classified as 'poramboke' or unassessed at the last resettlement but which have since been transferred to assessed waste or assigned by the Revenue Department;
(*c*) lands classed as 'permanently improved' in the upland tract;
(*d*) disafforested lands;
(*e*) lanka lands in Ramachandrapuram (V. No. 27) of Guntur taluk, Vellaturu (V. No. 1) of Repalle taluk and Bommavanipalem (V. No. 25) of Tenali taluk which have deteriorated owing to the deposit of sand carried by the freshes; and
(*f*) dry lands transferred to wet under the provisions of paragraph 11 below.

In classifying or reclassifying soils as above the system of classification adopted at the last resettlement will be followed with the modification that (1) in classifying 'permanetly improved' lands in the ordinary series, special sorts such as 3-1-A, 4-1-A, as the case may be will be introduced when it is found that the lands cannot be adequately assessed under the ordinary soil classification and table of rates and (2) in revising the classification of disafforested lands in the taluks of Narasaraopet, Palnad and Sattenapalle, a third sort will be introduced under red loam and red sand.

IV. Classification of irrigation sources.

7. (*a*) There will be no general reclassification of irrigation sources at the resettlement and the existing classification will be generally retained both in the delta and the upland tracts.

(*b*) However, the Special Assistant Settlement Officer in charge of the Party is authorized to revise the classification on merits (1) in the uplands in the case of sources the existing classification of which has resulted in excessive assessment or under-assessment, and (2) in the delta, in the case of sources in which either the facilities for irrigation or drainage have been improved subsequent to the last resettlement or the defects on account of which a lower class was fixed at the last resettlement have been remedied or in cases in respect of which there is a prima facie case for reducing the existing classification or in cases in which the existing classification is manifestly incorrect.

(*c*) If at any time during the term of the resettlement a defect on account of which an irrigation source has been placed in a lower class is remedied by the Government, or any source is improved, or any new source is constructed by the Government, the Government shall be at liberty to revise the resettlement classification or to assign a suitable classification. as the case may be, to such sources, and to impose such wet rates of assessment or such water-rates as they may deem fit on the lands commanded by such sources.

V. Wet lands.

8. *Commutation rates.*—White paddy was taken as the standard wet crop at the last resettlement and a deduction of 15 per cent was made on account of cartage and merchants' profits. The prices of white paddy recorded in Vinukonda taluk are now available only for four years in the beginning of the resettlement period. Enquiries show, however, that the price of paddy in Vinukonda has increased in the same proportion as that of delta paddy. In the delta tracts which were reclassified at the last resettlement, a commutation rate of Rs. 122 based on the prices of the 20 non-famine years preceding that settlement was adopted. Deducting 15 per cent on account of cartage and merchants' profits as at the last resettlement and calculating on the basis of the average price of paddy in the ryots' selling months during the 20 non-famine years ending fasli 1343 a commutation rate of Rs. 275 is now arrived at.

At the last resettlement the money rates adopted at the initial settlement were enhanced by 18¾ per cent in Ongole, 20 per cent in Palnad and Sattenapalle and 25 per cent in the other upland areas of Guntur, Tenali, Bapatla and Narasaraopet. The commutation rates actually adopted at the last resettlement of these tracts were thus Rs. 127, Rs. 120 and Rs. 125, i.e., 18¾ per cent, 20 per cent and 25 per cent respectively, over the commutation rates of Rs. 107, Rs. 100 and Rs. 100 adopted at the initial settlement. Deducting 15 per cent as at the last resettlement on account of cartage and merchants' profits and calculating on the basis of the average price of paddy in the ryots' selling months during the 20 non-famine years ending with fasli 1343, the commutation rates now arrived at for Ongole and the upland tracts are Rs. 327 and Rs. 271 respectively. The commutation rates now arrived at for the several tracts show increases ranging from 117 per cent to 157 per cent over the commutation rates actually adopted at the last resettlement.

9. *Money rates.*—Making allowance for promoting a higher standard of comfort amongst ryots and having regard to the distinctly lower standard of living now obtaining in the taluks of Narasaraopet, Palnad, Sattenapalle, Vinukonda and Ongole, the Government consider that on the basis of the rise in the prices of paddy by 117 to 157 per cent the enhancement of the wet rates by 18¾ per cent in the taluks of Guntur, Tenali, Repalle and Bapatla and of 12½ per cent in the taluks of Narasaraopet, Palnad, Sattenapalle, Vinukonda and Ongole is justified. It will however be left to the future Government to collect the enhancement now proposed or such other enhancement as that Government may consider appropriate.

10. The following tables compare the existing rates of wet assessment and the new rates that will be leviable in accordance with the increases referred to in the previous paragraph.

A. Delta—Wet lands.

Tenali, Repalle, Bapatla and Guntur taluks (including lands under Sonas in Bapatla taluk).

Class and sort of soil. I. (1)	II. (2)	III. (3)	IV. (4)	V. (5)	XII. (6)	XIII. (7)	XIV. (8)	Class I. Existing rate. (9)	Class I. Proposed rate. (10)	Class II. Existing rate. (11)	Class II. Proposed rate. (12)	Class III. Existing rate. (13)	Class III. Proposed rate. (14)	Class IV. Existing rate. (15)	Class IV. Proposed rate. (16)
								RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
1-A	1	..	..	..	..	..	..	12 8	14 14	10 8	12 8	9 0	10 10	8 0	9 8
1	2	..	..	..	..	..	..	10 8	12 8	9 0	10 10	8 0	9 8	7 0	8 4
2	3	..	1	..	..	..	..	9 0	10 10	8 0	9 8	7 0	8 4	6 0	7 2
3	4	1	2	..	..	..	..	8 0	9 8	7 0	8 4	6 0	7 2	5 0	5 15
4	5	2	3	1	1	..	..	7 0	8 4	6 0	7 2	5 0	5 15	4 0	4 12
5	..	3	4	2	2	1	..	6 0	7 2	5 0	5 15	4 0	4 12	3 8	4 2
....	..	4	5	3	3	2	1	5 0	5 15	4 0	4 12	3 8	4 2	3 0	3 8
....	..	5	..	4	..	3	2	4 0	4 12	3 8	4 2	3 0	3 8	2 8	3 0
....	..	..	..	5	..	..	3	3 8	4 2	3 0	3 8	2 8	3 0	2 0	2 6

B-1. Upland—Wet lands.

Class and sort of soil.	Class II.		Class III.	
	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.
(1)	(2)	(3)	(4)	(5)
Tenali, Bapatla and Guntur taluks.				
	RS. A.	RS. A.	RS. A.	RS. A.
II 1	* 9 6	..	* 8 0	..
2	* 7 8	..	* 6 4	..
III 1	7 8	8 14	6 4	7 7
2	5 10	6 10	4 6	5 2
3	3 12	4 7	3 2	3 10
IV 1	8 0	9 8	7 0	8 4
2	5 10	6 10	4 6	5 2
3	3 12	4 7	3 2	3 10
V 1	5 10	6 10	3 12	4 7
2	3 12	4 7	3 2	3 10
3	3 2	3 10	2 4	2 11
VI 1	7 0	8 4	5 10	6 10
2	5 10	6 10	3 12	4 7
VII 1	5 10	6 10	3 12	4 7
2	3 12	4 7	3 2	3 10
VIII 1	3 12	4 7	3 2	3 10
2	3 2	3 10	2 4	2 11

B-2. Upland—Wet lands.

Narasaraopet taluk.

II 1	* 9 6	..	8 0	..
2	* 7 8	..	6 4	..
III 1	7 8	8 6	6 4	7 0
2	5 10	6 4	4 6	4 14
3	3 12	4 4	3 2	3 8
IV 1	8 0	9 0	7 0	7 14
2	5 10	6 4	4 6	4 14
3	3 12	4 4	3 2	3 8
V 1	5 10	6 4	3 12	4 4
2	3 12	4 4	3 2	3 8
3	3 2	3 8	2 4	2 8
VI 1	7 0	7 14	5 10	6 4
2	5 10	6 4	3 12	4 4
VII 1	5 10	6 4	3 12	4 4
2	3 12	4 4	3 2	3 8
VIII 1	3 12	4 4	3 2	3 8
2	3 2	3 8	2 4	2 8

* Rates on lands classified as "Permanently improved." These lands will be reclassified and the special rates to be imposed on lands placed in the special sorts III-1 A and IV-1 A will be notified separately.

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B-3. Upland—Wet lands.

Sattenapalle and Palnad taluks.

Class and sort of soil.	Class II.		Class III.	
	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.
(1)	(2)	(3)	(4)	(5)
	RS. A.	RS. A.	RS. A.	RS. A.
II { 1	* 9 0	..	7 12	..
II { 2	* 7 4	..	6 0	..
III { 1	7 4	8 2	6 0	6 12
III { 2	5 6	6 0	4 4	4 12
III { 3	3 10	4 0	3 0	3 6
IV { 1	7 12	8 12	6 8	7 4
IV { 2	5 6	6 0	4 4	4 12
IV { 3	3 10	4 0	3 0	3 6
V { 1	5 6	6 0	3 10	4 0
V { 2	3 10	4 0	3 0	3 6
V { 3	3 0	3 6	2 0	2 4
VI { 1	6 8	7 4	5 6	6 0
VI { 2	5 6	6 0	3 10	4 0
VII { 1	5 6	6 0	3 10	4 0
VII { 2	3 10	4 0	3 0	3 6
VIII { 1	3 10	4 0	3 0	3 6
VIII { 2	3 0	3 6	2 0	2 4

* Rates on lands classified as 'permanently improved.' These lands will be reclassified and the special rates to be imposed on lands placed in the special sorts III-1 A and IV-1 A will be notified separately.

B-4. Upland—Wet lands.

Vinukonda taluk.

Class and sort of soil.						Class I.		Class II.		Class III.		Class IV.	
III	IV	V	VI	VII	VIII	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
						RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
..	1	..	..	..	..	8 0	9 0	7 0	7 14	6 0	6 12	5 8	6 2
1	2	..	..	1	..	7 0	7 14	6 0	6 12	5 8	6 2	5 0	5 10
2	3	1	1	2	1	6 0	6 12	5 8	6 2	5 0	5 10	4 0	4 8
3	4	2	2	3	2	5 8	6 2	5 0	5 10	4 0	4 8	3 8	4 0
4	5	3	3	4	3	5 0	5 10	4 0	4 8	3 8	4 0	3 0	3 6
5	..	4	4	5	4	4 0	4 8	3 8	4 0	3 0	3 6	2 8	2 12
..	..	5	5	..	5	3 8	4 0	3 0	3 6	2 8	2 12	2 0	2 4

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Ongole taluk.

B-5. Upland—Wet lands.

Class and sort of soil.	Class II.		Class III.		Class IV.		Class V.	
	Existing rate.	Proposed rate.	Existing rate.	Proposed rate	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	RS. A.	RS. A.	RS. A.	RS. A.	RS A.	RS. A.	RS. A.	RS. A.
III-1	8 5	9 5	7 11	8 9	..	..	..	..
2	6 8	7 4	6 4	7 0	5 5	5 15	4 8	5 0
3	5 6	5 15	4 12	5 5	4 2	4 10	3 8	3 14
4	4 2	4 10	3 9	3 15	2 15	3 4	..	..
IV-1	8 14	9 14	8 5	9 5	..	..	..	..
2	7 2	8 0	6 8	7 4	5 15	6 11	5 0	5 10
3	5 15	6 11	5 5	5 15	4 2	4 10	3 8	3 14
V-1	..	..	..	..	..	..	..	..
2	..	..	..	..	..	..	3 8	3 14
3	3 9	3 15	2 15	3 4	..	..	..	..
VII-1	8 5	9 5	..	..	..	..	..	..
XII-1	7 2	8 0	6 8	7 4	5 5	5 15	..	..
2	5 15	6 11	5 5	5 15	4 12	5 5	..	..
XIII-1	5 15	6 11	..	..	..	..	..	..
2	5 5	5 15	4 12	5 5	4 2	4 10	..	..

11. *Revision of wet ayacuts.*—(i) The following classes of lands in the Kistna Western delta will be transferred to wet by the Settlement staff if they are on a commandable level:—

Extents of ryotwari lands other than those registered as wet which are—

(*a*) already included in the ayacut of the Kistna Western delta prior to 1929; and

(*b*) notified for inclusion subsequently.

(ii) Fields registered as dry under the Boggaram Chennamma Cheruvu of Kondayapalem village in Vinukonda taluk which have been regularly under wet cultivation for five years and from which in the opinion of the Settlement Officer it is impossible to exclude water from that tank will be transferred to wet. This item of work will not be done in the other upland areas of the district.

12. *Calculation and composition of second-crop charge.*—(*a*) No lands will be registered as double crop at the resettlement. The charge for a second crop when raised on land registered as single crop will be in accordance with paragraphs (1) and (2) of Board's Standing Order No. 5 or whatever corresponding orders may be in force for the time being.

(*b*) The Government reserve to themselves the power to introduce in the delta tracts at any time during the currency of the resettlement the rules for the composition of second-crop charge on single-crop wet lands as laid down in paragraph 1 (5) of Board's Standing Order No. 1 or in accordance with any rules that may be framed by Government in this behalf. Ryots who hold lands under upland sources and wish to compound the second-crop charge on those lands in accordance with the rules in Board's Standing Order No. 1 (1) (5) may apply to the Tahsildar for the purpose at any time during the currency of the resettlement.

13. *Baling remission.*—Baling remission is now allowed at one rupee an acre for the first crop and at 8 annas an acre for the second crop in the delta and in the Ongole taluk. In the Palnad taluk it is granted at one-fourth of the wet assessment for the first crop and one-fourth of the second-crop charge for the second crop. This practice will be allowed to continue.

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VI. Dry lands.

14. At the last resettlement, black paddy and cholam were adopted as the standard dry crops in the delta, cumbu in Vinukonda taluk, cholam, variga and cumbu in Ongole taluk, and cholam and variga in the uplands other than Vinukonda and Ongole. In view of the enormous decrease in the area under black paddy since the last resettlement, cholam alone will now be adopted as the standard dry crop for the delta. The standard dry crops adopted at the last resettlement for the other tracts will be retained. In the Vinukonda taluk and in the delta the last resettlement was based on a reclassification of soils and irrigation sources and the commutation rates were calculated on the basis of the prices in the 20 non-famine years prior to that resettlement. In the rest of the district the resettlement took the form of an enhancement of the money rates fixed at the initial settlement and the commutation rates actually adopted were thus those adopted at the initial settlement enhanced by the sanctioned percentages, viz., 18¾ per cent in Ongole taluk, 20 per cent in Palnad and Sattenapalle taluks and 25 per cent in the upland areas of Guntur, Tenali, Bapatla and Narasaraopet taluks. The commutation rates referred to above as well as those now arrived at on the basis of the prices in the ryots' selling months during the 20 years ending fasli 1343 after making a deduction of 15 per cent on account of cartage and merchants' profits are shown in the subjoined table:—

Name of tract.	Standard grain.	Commutation price actually adopted at the last resettlement.	Commutation rate based on the prices in the ryots' selling months during the 20 non-famine years ending with fasli 1343.	Percentage of increase.
(1)	(2)	(3)	(4)	(5)
Vinukonda	Cumbu	173	374	116
Delta	Cholam	199	417	110
Ongole	Cholam	153	386	152
	Variga	127	378	198
	Cumbu	127	377	197
Uplands other than Vinukonda and Ongole.	Cholam	140 'y'	390	179 'y'
		134 'd'		191 'd'
	Variga	108 'y'	353	227 'y'
		103 'd'		243 'd'

'y' These figures relate to the taluks of Guntur, Tenali, Bapatla and Narasaraopet.

'd' These figures relate to the taluks of Palnad and Sattenapalle.

The present commutation rates show increases ranging from 110 per cent to 243 per cent over those actually adopted at the last resettlement.

15. *Money rates.*—Making allowance for promoting a higher standard of comfort amongst ryots and having regard to the distinctly lower standard of living now obtaining in the taluks of Narasaraopet, Palnad, Sattenapalle, Vinukonda and Ongole, the Government consider that on the basis of the rise in the prices of dry grains by 110 per cent to 243 per cent the enhancement of the dry rates by 18¾ per cent in the taluks of Guntur, Tenali, Repalle and Bapatla and of 12½ per cent in the taluks of Narasaraopet, Palnad, Sattenapalle, Vinukonda and Ongole is justified. It will, however, be left to the future Government to collect the enhancement now proposed or such other enhancement as that Government may consider appropriate.

16. The following tables compare the old rates of dry assessment and the new rates that will be leviable in accordance with the increase referred to in the previous paragraph.

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A-1—Delta—Dry lands.

Tenali, Repalle, Bapatla and Guntur taluks.

Class and sort of soil.								Group I.		Group II.	
I.	II.	III.	IV.	V.	XII.	XIII.	XIV.	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
								RS. A.	RS. A.	RS. A.	RS. A.
1-A	..	..	..	..	..	..	..	6 0	7 2	4 8	5 4
1	..	..	..	..	..	..	.	4 8	5 4	3 8	4 2
2	1	..	..	..	..	..	..	3 8	4 2	2 8	3 0
3	2	1	..	..	..	..	..	2 8	3 0	2 0	2 6
4	3	2	1	..	..	..	..	2 0	2 6	1 8	1 12
5	4	3	2	..	..	..	..	1 8	1 12	1 4	1 8
..	5	4	3	1	1	..	..	1 4	1 8	1 0	1 3
..	..	5	4	2	2	1	..	1 0	1 3	0 12	0 14
..	..	..	5	3	3	2	1	0 12	0 14	0 8	0 10
..	..	..	..	4	..	3	2	0 8	0 10	0 4	0 5
..	..	..	..	5	..	..	3	0 4	0 5	0 4	0 5

A-2—Delta—Lankas and Padugais.

Repalle, Tenali and Guntur taluks.

Class and sort of soil.		Lanka.				Padugai.			
		Group I.		Group II.		Group I.		Group II.	
		Existing rate.	Proposed rate.	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
1-A ..	..	10 0	11 14	8 0	9 8	8 0	9 8	6 0	7 2
1 ..	1-A ..	8 0	9 8	6 0	7 2	6 0	7 2	4 8	5 4
2 ..	1 ..	6 0	7 2	4 8	5 4	4 8	5 4	3 8	4 2
3 ..	2 ..	4 8	5 4	3 8	4 2	3 8	4 2	2 8	3 0
4 ..	3 ..	3 8	4 2	2 8	3 0	2 8	3 0	2 0	2 6
5 ..	4 ..	2 8	3 0	2 0	2 6	2 0	2 6	1 8	1 12
..	5 ..	2 0	2 6	1 8	1 12	1 8	1 12	1 4	1 8

B-1—Upland—Dry lands.

Tenali, Bapatla and Guntur taluks.

Class and sort of soil. (1)	Group I. Existing rate. (2)	Group I. Proposed rate. (3)	Group II. Existing rate. (4)	Group II. Proposed rate. (5)	Group III. Existing rate. (6)	Group III. Proposed rate. (7)
	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
I-1	5 10	6 10	4 6	5 2	3 12	4 7
2	4 6	5 2	3 2	3 10	2 8	3 0
3	3 2	3 10	1 14	2 4	1 14	2 4
II-1	* 5 10	..	4 6	..	3 12	..
2	* 4 6	..	3 2	..	2 8	..
III-1	3 12	4 7	E 3 2 2 8	3 10 3 0	2 4	2 11
2	2 8	3 0	1 14	2 4	1 4	1 8
3	1 14	2 4	1 4	1 8	1 0	1 3
IV-1	2 8	3 0	1 14	2 4	1 4	1 8
2	1 14	2 4	1 4	1 8	1 0	1 3
3	1 4	1 8	1 0	1 3	0 10	0 12
V-1	1 14	2 4	1 4	1 8	1 0	1 3
2	1 4	1 8	1 0	1 3	0 10	0 12
3	1 0	1 3	0 10	0 12	0 5	0 5
VI-1	..	..	2 4	2 11	1 14	2 4
2	..	..	1 10	1 15	1 0	1 3
VII-1	..	..	1 10	1 15	1 0	1 3
2	..	..	1 0	1 3	0 10	0 12
VIII-1	..	..	1 0	1 3	0 10	0 12
2	..	..	0 10	0 12	0 5	0 5
XII-1	..	..	..	..	1 4	1 8
2	..	..	..	..	1 0	1 3
3	..	..	..	..	0 10	0 12
XIII-1	..	..	..	..	1 0	1 3
2	..	..	..	..	0 10	0 12
3	..	..	..	..	0 8	0 10

B-2—Upland—Dry lands.

Narasaraopet taluk.

Class and sort of soil. (1)	Group I. Existing rate. (2)	Group I. Proposed rate. (3)	Group II. Existing rate. (4)	Group II. Proposed rate. (5)	Group III. Existing rate. (6)	Group III. Proposed rate. (7)
I-1	5 10	6 4	4 6	4 14	3 12	4 4
2	4 6	4 14	3 2	3 8	2 8	2 12
3	3 2	3 8	1 14	2 2	1 14	2 2
II-1	* 5 10	..	* 4 6	..	* 3 12	..
2	4 6	..	* 3 2	..	* 2 8	..
III-1	3 12	4 4	E 3 2 2 8	3 8 2 12	2 4	2 8
2	2 8	2 12	1 14	2 2	1 4	1 6
3	1 14	2 2	1 4	1 6	1 0	1 2
IV-1	2 8	2 12	1 14	2 2	1 4	1 6
2	1 14	2 2	1 4	1 6	1 0	1 2
3	1 4	1 6	1 0	1 2	0 10	0 12
V-1	1 14	2 2	1 4	1 6	1 0	1 2
2	1 4	1 6	1 0	1 2	0 10	0 12
3	1 0	1 2	0 10	0 12	0 5	0 5
VI-1	..	..	2 4	2 8	1 14	2 2
2	..	..	1 10	1 12	1 0	1 2
VII-1	..	..	1 10	1 12	1 0	1 2
2	..	..	1 0	1 2	0 10	0 12
3	..	..	0 10	0 10	0 5	0 5
VIII-1	..	..	1 0	1 2	0 10	0 12
2	..	..	0 10	0 12	0 5	0 5
3	..	..	0 5	0 5	0 5	0 5

E = Extra.

* Rates on lands classified as 'Permanently improved.' These lands will be reclassified and the special rates to be imposed on lands placed in the special sorts III-1 A and IV-1 A will be notified separately.

B-3—Upland—Dry lands.

Sattenapalle and Palnad taluks.

Class and sort of soil.	Group I. Existing rate.	Group I. Proposed rate.	Group II. Existing rate.	Group II. Proposed rate.	Group III. Existing rate.	Group III. Proposed rate.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
I-1	5 6	6 0	4 4	4 12	3 10	4 0
2	4 4	4 12	3 0	3 6	2 6	2 10
3	3 0	3 6	1 12	2 0	1 12	2 0
II-1	* 5 6	..	4 4	..	3 10	..
2	* 4 4	..	3 0	..	2 6	..
III-1	3 10	4 0	E 3 0 2 6	3 6 2 10	2 2	2 6
2	2 6	2 10	1 12	2 0	1 2	1 4
3	1 12	2 0	1 2	1 4	0 14	1 0
IV-1	2 6	2 10	1 12	2 0	1 2	1 4
2	1 12	2 0	1 2	1 4	0 14	1 0
3	1 2	1 4	0 14	1 0	0 9	0 10
V-1	1 12	2 0	1 2	1 4	0 14	1 0
2	1 2	1 4	0 14	1 0	0 9	0 10
3	0 14	1 0	0 9	0 10	0 5	0 5
VI-1	..	..	2 2	2 6	1 12	2 0
2	..	..	1 8	1 10	0 14	1 0
VII-1	..	..	1 8	1 10	0 14	1 0
2	..	..	0 14	1 0	0 9	0 10
3	..	..	0 9	0 9	0 5	0 5
VIII-1	..	..	0 14	1 0	0 9	0 10
2	..	..	0 9	0 10	0 5	0 5
3	..	..	0 5	0 5	0 5	0 5

E = Extra.

* Rates on lands classified as 'Permanently improved.' These lands will be reclassified and special rates to be imposed on lands placed in the special sorts III-1 A and IV-1 A will be notified separately.

B-4—Dry lands.

Vinukonda taluk.

Class and sort of soil.						*Group I.*		*Group II.*	
III.	*IV.*	*V.*	*VI.*	*VII.*	*VIII.*	Existing rate.	Proposed rate.	Existing rate.	Proposed rate.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
						RS. A.	RS. A.	RS. A.	RS. A.
1	..	..	..	..	..	2 8	2 12	2 0	2 4
2	1	..	1	..	..	2 0	2 4	1 8	1 10
3	2	..	2	1	..	1 8	1 10	1 4	1 6
4	3	1	3	2	1	1 4	1 6	1 0	1 2
5	4	2	4	3	2	1 0	1 2	0 12	0 14
..	5	3	5	4	3	0 12	0 14	0 8	0 9
..	..	4	..	5	4	0 8	0 9	0 4	0 5
..	..	5	..	..	5	0 4	0 5	0 4	0 5

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B-5 Upland Dry lands.

Ongole taluk.

Class and sort of soil.		Group I. Existing rate.	Group I. Proposed rate.	Group II. Existing rate.	Group II. Proposed rate.	Group III. Existing rate.	Group III. Proposed rate.	Arenaceous soils to the east of the Buckingham canal. Existing rate.	Arenaceous soils to the east of the Buckingham canal. Proposed rate.
(1)		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
		RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
III	1	4 12	5 4	4 2	4 10	3 9	4 0	..	..
(Extra)	2	..	..	2 15	3 4	..	..	..	..
	2	2 15	3 4	2 6	2 10	2 1	2 4	..	..
	3	2 1	2 4	1 12	2 0	1 8	1 10	..	..
	4	1 8	1 10	1 3	1 5	0 14	1 0	..	..
IV	1	3 9	4 0	2 15	3 4	2 11	3 0	..	..
	2	2 1	2 4	1 12	2 0	1 8	1 10	..	..
	3	1 8	1 10	1 3	1 5	0 14	1 0	..	..
V	1	2 1	2 4	1 12	2 0	1 8	1 10	..	..
	2	1 8	1 10	1 3	1 5	0 14	1 0	..	..
	3	9 9	0 10	0 9	0 10	0 7	0 8	..	..
VII	1	..	..	2 6	2 10	2 6	2 10	..	..
	2	..	..	1 8	1 10	1 3	1 5	..	..
	3	..	..	1 1	1 3	0 12	0 14	..	..
VIII	2	..	..	1 1	1 3	0 12	0 14	..	..
	3	..	..	0 9	0 10	0 7	0 8	..	..
XII	1	..	..	..	..	1 8	1 10	1 4	1 6
	2	..	..	..	..	1 3	1 5	1 0	1 2
XIII	1	..	..	..	..	1 3	1 5	1 0	1 2
	2	..	..	..	..	0 14	1 0	0 12	0 14
XIV	1	..	..	..	..	0 14	1 0	0 12	0 14
	2	..	..	..	..	0 5	0 5	3 4	0 5

17. *Water-cess on dry lands.*—The levy of water-rate will be governed by the rules notified by the Government from time to time.

18. Dry lands irrigated solely from wells situated on occupied lands will not be charged for the use of the water. Lands forming the ayacut of doruvu wells and registered as dry in the accounts will be charged water-rate at one-fourth of the rate usually charged for water supplied to a wet crop if the water is raised by a single lift and at one-eighth of that rate if the water is raised by double lift. The rate will not depend on the crop grown. No charge will be made for the cultivation of a second crop under these wells. These concessions will not apply to inams settled as wet under doruvu wells.

19. *Achukkattus.*—The Government reserve the right to impose at any time during the period of the resettlement whatever additional assessment they may deem necessary on any dry land on which wet crops are, or may hereafter be, raised by the aid of achukkattus in a manner which, in the opinion of the district authorities, is objectionable.

VII. Lands in the water spread of irrigation sources.

20. Tank-bed lands under holding will, whether they have hitherto been shown in the revenue accounts as wet or dry, be classed as "dry" and assessed at a special rate intermediate between the wet and dry rates, the rate depending on the advantages which the land derives from the submersion, unless such lands are irrigated from and are included in the ayacut of a source different from, and unconnected with, the one in the bed of which they are situated. The assessment so fixed will be leviable in all seasons whether the lands are cultivated or not.

VIII. Special rate lands.

21. The assessment on special rate lands will be revised in accordance with paragraph 10 of Board's Standing Order No. 8, that is to say, the special rate will be altered in the same proportion as the average assessment on the dry lands of the village in which the "Special rate lands" lie.

22. A charge of Re. 1 per acre is being levied in addition to the land assessment on all lands registered as wet under the Mekkellapadu-Chintalacheruvu Sharkath tank in the Vinukonda taluk and the usual charge for water collected

on all dry lands irrigated from it, in accordance with the terms of the agreement executed by the ryots concerned at the time of the restoration of the tank. Separate orders will issue on the question of the continuance or otherwise of this extra charge.

IX. Ground-rent.

23. The Government reserve the right to impose at any time during the currency of the resettlement whatever ground-rent they may deem necessary on occupied ryotwari lands assigned subsequent to the date of this notification, if they are used for building purposes.

X. Registry of holdings.

24. The registry in the revenue accounts has been adopted for purposes of resettlement. Registered holders or other persons having any interest in lands affected by the resttlement can obtain any information thereon from the Special Assistant Settlement Officer in charge, Party No. 1, Nellore.

XI. Notices.

25. At resettlement a notice will be issued to each registered holder concerned of such alteration in the description, rate and assessment of land as may be carried out in respect of his holding in accordance with the principles enumerated in the preceding paragraphs. The notices will be issued through the village headman to each registered holder concerned. Every endeavour will be made to secure prompt delivery of the notices to the registered holders but non-resident and absentee registered holders must make their own arrangements to obtain them from the village headman.

26. The manner in which objections to entries in the notices will be received and disposed of will be set out in the notices themselves.

27. Errors found in the notices in regard to survey numbers, areas, names of registered holders and the registration of lands as dry, wet, Government, inam, poramboke or the like can be corrected at any time during or after the resettlement, if brought to notice by the party interested. Petitions for the alteration of demarcation are however barred by the provisions of the Madras Survey and Boundaries Act VIII of 1923 and will not be entertained.

28. Parties must obtain written orders from the Special Assistant Settlement Officer in charge of the Party before filing appeals against any decision passed under paragraph 26 above to the Board of Revenue. Appeals to the Board of Revenue may be preferred within 40 days from the date of communication of the orders appealed against. This period is exclusive of the time occupied in obtaining copies of the order appealed against and, in cases in which the original order was communicated by post, this period is also exclusive of the time which the order would take to reach the party in the ordinary course of business. With the appeal petitions must be sent the original or a copy of the order appealed against. Appeal petitions need not be stamped but copies and enclosures appended thereto must be stamped in accordance with the rules.

XII. Relinquishments.

29. The date fixed for the relinquishment of holdings is the 15th July in Ongole taluk and 31st May in the rest of the district. If in any of the taluks it is found impossible to issue the notices referred to in paragraph 25 above before the dates fixed for the acceptance of relinquishments, the time within which relinquishment may be made will be extended up to a month after the date of the order on the objections to the notices. Relinquished lands must consist of entire survey fields or entire subdivisions indicated by sub-numbers or subdivision letters which are separately recorded in the notices or in the revenue accounts.

XIII. Kistbandi.

30. The existing kisthandi will remain unaltered in all taluks of the district except Vinukonda where the existing kisthandi in three instalments of As. 4, As. 6 and As. 6 in January, February and March respectively will be replaced by three kists of As. 6, As. 6 and As. 4 respectively in February, March and April, from the fasli in which the revised money rates are introduced.

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XIV. Duration of resettlement.

31. (*a*) Subject to the provisions of paragraphs 1, 9 and 15 above and of clauses (*b*) and (*c*) below the changes now introduced in accordance with the terms of the previous paragraphs will remain in force in all the taluks up to the end of fasli 1375 and no other changes will be introduced within that period. The Government reserve to themselves the right to revise thereafter the assessment on lands in such manner as may then seem just and proper, but no enhancement of assessment will then be made in respect of any additional value which may have been imparted to lands by improvements effected by the ryots whether such improvements have been carried out by money borrowed from Government or otherwise.

(*b*) The Government reserve the right to alter or revise within the period fixed for the duration of the resettlement the classification of lands, adopted at the resettlement and to impose additional assessment or to substitute ground-rent for assessment as the case may be in the following cases:—

(i) where on lands classed as dry, wet crops are or may hereafter be raised by the aid of achukkattus;

(ii) where ryotwari lands assigned subsequent to the date of this notification are used for building purposes;

(iii) where irrigation of the land has been improved by the Government during the currency of the resettlement;

(iv) where the lands have been included in the ayacut of any irrigation work constructed or extended by the Government during the currency of the resettlement;

(v) where lands are included in the water-spread of a tank; and

(vi) where dry lands are converted to wet or vice versa.

(*c*) The Government also reserve the right to change from time to time the rate of water charge and the method of calculating it in the case of lands not registered as wet.

II

Also it is hereby notified that the lands which were classed as permanently improved at the last resettlement and which have now been reclassified and assigned special sorts III-1 A and IV-1 A in the taluks of Tenali, Bapatla, Guntur, Narasaraopet, Palnad and Sattenapalle will be assessed at the rates shown in the subjoined tables:—

Wet.

For taluks.	Special sorts.	Second-class. Rates to be adopted in place of the existing rates.	Second-class. Resettlement Enhanced rates.	Third-class. Rates to be adopted in place of the existing rates.	Third-class. Resettlement Enhanced rates.
		RS. A.	RS. A.	RS. A.	RS. A.
Tenali .. Bapatla .. Guntur ..	III-1 A* ..	..	..	..	..
	IV-1 A ..	9 6	11 2	8 0	9 8
Narasaraopet ..	III-1 A ..	9 0	10 2	7 8	8 6
	IV-1 A ..	9 6	10 8	8 0	9 0
Sattenapalle and Palnad.	III-1 A ..	8 8	9 8	7 4	8 2
	IV-1 A ..	9 0	10 2	7 12	8 12

* No lands have been placed in this sort in these taluks.

Dry.

For taluks.	Special sorts.	Group I. Rates to be adopted in place of existing rates.	Group I. Enhanced rates.	Group II. Rates to be adopted in place of existing rates.	Group II. Enhanced rates.	Group III. Rates to be adopted in place of existing rates.	Group III. Enhanced rates.
		RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
Tenali .. .. Bapatla and Guntur.	III-1 A ..	5 10	6 10	4 6	5 2	3 12	4 7
	IV-1 A ..	4 6	5 2	3 2	3 10	2 8	3 0
Narasaraopet ..	III-1 A ..	5 10	6 4	4 6	4 14	3 12	4 4
	IV-1 A ..	4 6	4 14	3 2	3 8	2 8	2 12
Sattenapalle and Palnad.	III-1 A ..	5 6	6 0	4 4	4 12	3 10	4 0
	IV-1 A ..	4 4	4 12	3 0	3 6	2 6	2 10

APPENDIX XXXIV.

[Vide item VIII (20) at page 107 supra.]

Statement of action taken on a resolution passed during the sixth session of the Fourth Legislative Council August 1935—March 1936.

Resolution.	When passed by the Council.	Nature of action taken by Government.
This Council recommends to the Government that the resettlement report of the Guntur district should not be given effect to until a Committee consisting of four members to be elected by this Council, the Member of the Board of Revenue in charge of Settlement, the Collector of the district and the Revenue Member as the Chairman of the Committee, submits its report after thorough enquiry.	8th August 1935.	The Government on an examination of all the circumstances came to the conclusion that it was not necessary to appoint a Committee to consider the proposals of the Settlement Officer for the resettlement of the Guntur district, and that the resettlement should be carried out in accordance with the new policy announced in the Press Communiquè, dated 12th December 1935. Orders were accordingly issued in G.O. No. 1390, Revenue, dated 29th June 1936, and the order has been made available to the Press.

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Council.

18th August 1936.

APPENDIX XXXV.

[Vide item VIII (21) at page 107 supra.]

FINANCE DEPARTMENT.

LIST OF POSTS ON Rs. 500 PER MENSEM AND ABOVE CREATED DURING THE QUARTER ENDING 30TH JUNE 1936.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	(a) PERMANENT.		
	Nil.		
	(b) TEMPORARY.		
	(i) *Extension of previous sanctions.*		
	RS.		
Home Department— Sub-Judge, Kurnool ..	550	From the commencement of the summer recess in 1936 till the commencement of the summer recess in 1937.	G.O. No. 96, Home, dated 8th April 1936.
Additional Sub-Judge, Trichinopoly.	550	One year from the date of commencement of the summer recess in 1936.	G.O. No. 145, Home, dated 16th April 1936.
Additional Sub-Judge, Devakottah.	550	One year from 22nd April 1936.	G.O. No. 205, Home, dated 20th April 1936.
Additional Sub-Judge, Masulipatam.	550	From the commencement of the summer recess in 1936 up to the commencement of the Christmas holidays, 1936.	G.O. No. 440, Home, dated 22nd April 1936.
Additional Sub-Judge, Ellore.	550	From the commencement of the summer recess for 1936 till the commencement of the summer recess in 1937.	G.O. No. 403, Home, dated 5th May 1936.
Additional Sub-Judge, Tenali.	550	One year from 1st August 1936.	G.O. No. 1077, Home, dated 24th June 1936.
Public Works Department— Chief Engineer for Electricity.	3,750	Till the end of 30th September 1938.	Mr. Howard's services have been extended till 30th September 1938.
	(ii) *Posts newly created.*		
Public (Special) Department— Junior Secretary to Government, Education and Public Health Department.	Pay and special pay as for Junior Secretaries to Government.	Two years from 1st April 1936.	Mr. C. H. Masterman, I.C.S., has been appointed to the post. The post of Deputy Secretary to Government, Local Self-Government Department, is held in abeyance during the period.
Secretary to Government, Legal Department and Remembrancer of Legal Affairs.	1,400—100/2—1,800	Do.	M.R.Ry Rao Sahib P. Appu Nair has been appointed to the post.
Home Department— Additional Sub-Judge, Ramnad.	550	One year from the date of reopening of the court after the summer recess for 1936.	G.O. No. 163, Home, dated 17th April 1936.
Sub-Judge, Chicacole ..	550	One year from the date of reopening of the court after the summer recess for 1936	G.O. No. 725, Home, dated, 27th May 1936.
Additional District Munsif, Bellary.	Pay in the I.C.S. cadre.	From the date of commencement of the judical training of Mr. Karamatullah, I.C.S.	Post created for the judicial training of Mr. Karamatullah.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	(b) TEMPORARY—*cont.*		
	(ii) *Posts newly created*—cont.		
	RS.		
Revenue Department— Additional Joint Secretary, Board of Revenue.	Senior time scale of the I.C.S. + a special pay of Rs. 200 per mensem.	For six months from 1st June 1936.	G.O. No. 1208, Revenue dated 1st June 1936.
Legal Department— Assistant Secretary to Government, Legal Department.	500—800	Two years from 1st April 1936.	G.O. No. 616, Public (Reforms), dated 27th March 1936.
Education and Public Health Department— Superintending Engineer.	1,850 + overseas pay of £ 13-3-0 per mensem.	One month	To conduct an enquiry about the unauthorized execution of the Trichinopoly water-works improvements —G.O. 46, P.H., dated 7th April 1936.
Public Works Department— Executive Engineer (Electricity Department).	500—50/2—850	For 18 months from 1st April 1936 or date of appointment.	For work connected with the extension of supply of power from Coimbatore to Madura.
Executive Engineer (Public Works Department).	625—1,375	16th May 1936 to 4th June 1936.	For preparing the draft history of the Cauvery-Mettur project.
Superintending Engineer (Public Works Department).	1,750—2,150	5th June 1936 to 31st July 1936.	

C. K. VIJAYARAGHAVAN,
Deputy Secretary to Government.

APPENDIX XXXVI.

[Vide item VIII (22) at page 107 supra.]

G.O. No. 1488, Revenue, dated 11th July 1936.

The proposals of the Additional Special Settlement Officer, No. I Party, for the resettlement of the several taluks in the Kurnool district have been received.

2. The proposals were published in English and in Telugu in the *Kurnool District Gazette* on 29th October 1935, and three months' time was allowed for the receipt of criticisms. The period of three months allowed expired on 29th January 1936. The proposals were laid on the table of the Legislative Council on 30th October 1935.

3. Altogether 42 representations have been received in regard to the proposals. All of them, with the exception of one, relate to the Owk sub-taluk of the Koilkuntla taluk. The other mahazar was presented by the ryots of Dinnedavarapadu village of the Kurnool taluk. One of the 42 representations referred to above is a memorandum submitted by the Owk Sub-taluk Ryots' Association and it covers practically all the points raised in the several other representations submitted from that sub-taluk.

4. One of the points mentioned is that the ryots were not given adequate opportunities to make their representation regarding the resettlement. The Government understand that wide notice was given in the villages of the visits of the Special Settlement Officer and that in several cases the ryots availed themselves of the opportunities afforded and made representations to the Special Settlement Officer.

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5. The Government have examined the economic condition of the tract during the period of resettlement and find that the period has been on the whole one of prosperity. The census of 1931 indicated a substantial rise in the population, compared with the census figures of 1901. The mileage of maintained roads and railways has increased and the traffic in rail-borne trade has also shown a noticeable expansion. The co-operative movement has developed and the number of cotton gins and factories is much larger than 20 years ago. The area under cultivation in the district as a whole, particularly under 'dry,' has extended and the most noteworthy feature has been the distinct tendency towards concentration on staple crops and a large increase in the area under groundnut. The sale values of lands have appreciated while the lease values for dry lands have risen by nearly 100 per cent during the resettlement. The Government observe that the factors set forth above and the increases in the prices of the standard crops mentioned below indicate a definite improvement in the economic condition of the district during the period of resettlement. The Government accordingly proceed to pass orders on the proposals for the resettlement of the area.

6. The proposals of the Additional Special Settlement Officer in respect of the following matters have been supported by the Board of Revenue and are approved:—

(1) Soil classification.
(2) Dry grouping.
(3) Reclassification of irrigation sources.
(4) Baling remission.
(5) Classification of Doravu wells.
(6) Kistbandi.

7. As a result of the proposal that the Owk and the Tirumanayanipeta tanks should be treated as precarious sources [paragraph 34 (*b*) (i) of the report of the Additional Special Settlement Officer], the ryots will be given in all years, the option of growing wet or dry crops or none at all. Charge will be made according to the crops actually raised, the appropriate wet or dry assessment being levied for wet or unirrigated dry crops, and the appropriate dry assessment and water-cess for irrigated dry crops. The unit for such charge will be the entire survey field or a recognized subdivision thereof but water-cess will be charged only on the actual area irrigated. The net result of the reclassification of these two tanks will be a decrease in the assessment. The Government also observe that the proposals of the Additional Special Settlement Officer in respect of the dry grouping (paragraph 33 of the Scheme Report) will result in a net decrease in the assessment.

8. *Manavari lands.*—At the last resettlement, lands having no recognized source of irrigation, but cultivated regularly for five years with wet crops with rain water, were classed as manavari, and assessed one sort higher than ordinary dry lands of similar soils. The Additional Special Settlement Officer has reported that it is unnecessary to

retain this classification and that the manavari lands may be registered as dry and assessed at the dry rate appropriate to the soil classification already assigned at the last resettlement. The Government accept the proposals.

9. *Lands within the water-spread of irrigation sources.*—At the last resettlement these lands were assessed at a special rate, not exceeding the highest dry rate of the tract. The Additional Special Settlement Officer has proposed that in accordance with the existing orders they should be classed as 'dry' and be assessed at a special rate intermediate between wet and dry rates. The Government accept the proposals.

10. *Money rates.*—The standard grains in the district are white paddy for wet lands, cholam and arika for dry lands in the taluks in "Kurnool proper", and cholam for dry lands in the other taluks. The prices of these grains have risen considerably during the resettlement period. The commutation price based on the average of the prices during the ryots' selling months in the 20 non-famine years, viz., faslis 1322 to 1343 (excluding 1330 and 1331 which were famine years), shows an increase of 106 per cent in the case of paddy, 123 to 163 per cent in the case of cholam and 161 per cent in the case of arika. Even if the prices in the so-called boom years, viz., 1918–19 to 1928–29, are excluded the average prices still show a substantial increase. The price of paddy excluding the years specified above shows an increase of 62 per cent, while that of cholam shows an increase varying from 65 to 96 per cent, and of arika an increase of 123 per cent. The Additional Special Settlement Officer has recommended that the assessment on wet lands should be increased by $6\frac{1}{4}$ per cent and that the dry rates of and above rupee one should be increased by $12\frac{1}{2}$ per cent. The enhancements proposed are moderate considering the rise in prices referred to above. The Government accept the proposals.

With reference to the new policy of the Government in regard to resettlements, announced in the press communiqué, dated 12th December 1935, the percentage enhancements now ordered will not come into force immediately. It will be left to the Government that will be constituted under the Government of India Act, to decide whether or not the enhancements should be collected in such cases. Other changes such as reclassification, regrouping, etc., which are not based on a consideration of prices will however be introduced now.

11. The Government await the proposals of the Special Settlement Officer regarding the revision of ground-rent. Separate orders will issue on the proposals regarding the revision of water-cess.

12. The proposals of the Additional Special Settlement Officer for the duration of the resettlement are approved subject to the modification that the resettlement of the dry lands in Kurnool proper will be in force for a period of thirty years from fasli 1346.

13. The draft notification submitted by the Board is approved as amended and is annexed to this order.

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14. The Government are pleased to endorse the Board's commendation of the care and thoroughness with which Mr. Muir, I.C.S., the Additional Special Settlement Officer, conducted his enquiries, and the ability displayed by him in presenting the resettlement scheme report.

(*By order of the Governor in Council*)

H. R. Uzielli
Secretary to Government.

Press.

ANNEXURE.

I. Area affected

1. The term of thirty years for which the existing rates of land assessment were sanctioned expires in the several taluks of the Kurnool district between faslis 1344 and 1348. In accordance with the undertaking given in the Press Communiqué issued with G.O. Press No. 2957, Revenue, dated 12th December 1935, the Government will now determine the increased rates of assessment which are justified under the principles of resettlement hitherto adopted leaving it to the future Government to collect the enhancement now proposed or such other enhancement as they may consider appropriate, subject however to the condition that the introduction of such enhanced rates will not take place earlier than the faslis noted in column (5) of the statement below in respect of dry lands and fasli 1349 in respect of wet lands. Changes other than the abovesaid increases of the existing rates referred to in the succeeding paragraphs will be carried out in the faslis noted in column (5) of the statement below:—

Name of taluk. (1)	Total number of villages in the taluk. (2)	Names of *old taluks* and the number of villages now *included in the new taluk* in column (2). (3)		Fasli in which the last resettlement was introduced. (4) Dry lands.	Wet lands.	Fasli in which the second resettlement is due. (5) Dry lands.	Wet lands.
1. Kurnool	92	Ramallakota	67	1315 (1905–1906)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
		Nandikotkur	7				
		Nandyal	11				
		Pattikonda	7	1316 (1906–1907)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
2. Dhone	69	Ramallakota	34	1315 (1905–1906)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
		Nandyal	9				
		Pattikonda	26	1316 (1906–1907)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
3 *Nandikotkur*	87	Nandikotkur	87	1315 (1905–1906)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
4. Nandyal	73	Nandyal	73	1315 (1905–1906)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
5. Sirvel	87	Sirvel	86	1315 (1905–1906)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
		Koilkuntla	1	1316 (1906–1907)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
6. *Pattikonda*	*70*	*Pattikonda*	*70*	1316 (1906–1907)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
7. Koilkuntla	84	Koilkuntla	83	1316 (1906–1907)	1316 (1906–1907)	1346 (1936–1937)	1346 (1936–1937)
		Jammalamadugu taluk of the Cuddapah district.	1*	1317 (*1907–1908*)	1317 (*1907–1908*)	1347 (1937–1938)	1347 (1937–1938)
8. Cumbum	67	Cumbum	67	1319 (1909–1910)	1319 (1909–1910)	1349 (1939–1940)	1349 (1939–1940)
9. Markapur	66	Markapur	66	1319 (1909–1910)	1319 (1909–1910)	1349 (1939–1940)	1349 (1939–1940)

* One entire and part of another.

NOTE.—At the last resettlement, the tract of 'Kurnool Proper' which comprised the taluks of Ramallakota, Nandikotkur, Nandyal and Sirvel, was resettled in faslis 1315 (dry lands) and 1316 (wet lands). *In the revision of the taluk boundaries carried out in 1910, (1) the name of* Ramallakota taluk was changed into Kurnool, the taluk so named being composed of 92 ryotwari villages—67 villages of Ramallakota, 7 villages of Nandikotkur, 11 villages of Nandyal and 7 villages of Pattikonda and (2) a new taluk called Dhone was formed consisting of 69 ryotwari villages—*34 of Ramallakota, 9 of Nandyal* and 26 of Pattikonda.

The proposal made for Koilkuntla taluk will apply to the entire village of Vengampalle and part of Nararajupalle attached to Kakaravada village of the Koilkuntla taluk which previously formed part of Jammalamadugu *taluk* of the Cuddapah *district, but these will* be introduced only in fasli 1347 in which year Jammalamadugu taluk is due for resettlement.

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II. General Policy.

2. The resettlement will be based mainly on the rise in the prices of the standard grains since the last resettlement.

3. At the last resettlement a percentage deduction was made on account of vicissitudes of season and of the inclusion of porambokes such as roads, channels, banks, paths, etc., in holdings; this fact has been recorded in the descriptive memoirs attached to the last resettlement registers; the same percentage deduction will be allowed at this resettlement also. The inclusion of poramboke land in holdings does not alter the tenure of such land, or confer any right over such land on the registered holders in whose fields the poramboke land is included and the Government do not forego or abandon any of their rights in such land.

III. Classification of Soils.

4. (a) No general reclassification of soils will be made at the resettlement. The system of classification now prevalent for wet and dry lands in the different tracts will be retained. The present arrangement, by which soils of equal productive capacity are grouped in tarams, and the existing method of notation of the different soils will also be retained.

(b) In describing soils the following symbols will be used :—

III means regar clay
IV means regar loam
V means regar sand
VI means red ferruginous clay
VII means red ferruginous loam
VIII means red ferruginous sand

Arabic numerals following the Roman figures in the tables in paragraphs 9 and 16 below denote the sort of the soil.

5. The Special Settlement Officer or his gazetted assistants are however authorized to assign a classification or alter or adjust suitably wherever necessary, the existing classification in the case of the following lands:—

(a) Land transferred from unassessed or poramboke to assessed by the Revenue Department, subsequent to the last resettlement.

(b) Disafforested lands in the Criminal Tribes Settlement of Siddhapuram, now surveyed.

(c) Lands, which have been transferred from dry to wet by the Revenue Department during the currency of the last resettlement, either under sources already recognized at the last resettlement, or under sources newly recognized by the Revenue Department, subsequent to the last resettlement.

(d) Dry lands, for which no wet classification has been assigned at the last resettlement, and which at this resettlement will be registered as wet.

(e) Unassessed or unsurveyed lands surveyed for the first time.

6. In classifying or reclassifying soils as above, the system of classification adopted at the last resettlement will be followed.

IV. Classification of Irrigation Sources.

7. (a) There will be no general reclassification of irrigation sources at the resettlement in respect of I and II class sources and the existing classification will generally be retained, unaltered, but all the third, fourth and fifth class sources in the district will be inspected and reclassified according to their present capacity.

(b) There are certain sources recognized by the Revenue Department subsequent to the last resettlement. All such sources will now be inspected and classified according to their present capacity.

(c) The Special Settlement Officer is also authorized to revise the classification in other cases in which the existing classification is manifestly incorrect, and to fix an appropriate classification for sources specifically placed in a lower class at the last resettlement on account of defects, which have been since remedied.

(d) If at any time during the term of the resettlement a defect on account of which an irrigation source has been placed in a lower class is remedied by the Government, or if any source is improved, or if any new source is constructed by

the Government, the Government shall be at liberty to revise the resettlement classification or to assign a suitable classification, as the case may be, to such sources, and to impose such wet rates of assessment or such water rates, as they may deem fit, on the lands commanded by such sources.

V. Wet Lands.

8. *Commutation rates.*—White paddy was taken as the standard wet crop at the last resettlement. After making a deduction of 15 per cent on account of *cartage and merchants' profits* a commutation rate of Rs. 139 a garce was adopted for all the taluks. Making a similar deduction and calculating the commutation rate on the basis of the average price of white paddy in the ryots' selling months during the twenty non-famine years ending fasli 1343, a commutation rate of Rs. 286 a garce is arrived at for the entire district. This rate exceeds that adopted at the last resettlement by 106 per cent.

9. *Money rates.*—Making allowance for promoting a higher standard of comfort amongst the ryots the Government consider that on the basis of the rise in the prices of paddy, the enhancement in the existing rates of wet assessment by 6¼ per cent is justified. It will however be left to the future Government to collect the enhancement now proposed or such other enhancement as that Government may consider appropriate.

10. The following table compares the existing rates of wet assessment and the new rates that will be leviable in accordance with the increases referred to in the previous paragraph :—

Wet lands.

Soil: Class	Soil: Sort	First class: Taram	First class: Existing rate (Rs. A.)	First class: Proposed rate (Rs. A.)	Second class: Taram	Second class: Existing rate (Rs. A.)	Second class: Proposed rate (Rs. A.)	Third class: Tara	Third class: Exist rate (Rs. A.)	Third class: Proposed rate (Rs. A.)	Fourth class: Taram	Fourth class: Existing rate (Rs. A.)	Fourth class: Proposed rate (Rs. A.)	Fifth class: Taram	Fifth class: Existing rate (Rs. A.)	Fifth class: Proposed rate (Rs. A.)
IV	1	1	10 0	10 10	2	9 0	9 9	3	8 0	8 8	4	7 0	7 7	5	6 0	6 9
III	1	2	9 0	9 9	3	8 0	8 8	4	7 0	7 7	5	6 0	6 6	6	4 8	4 13
IV	2															
III	2	3	8 0	8 8	4	7 0	7 7	5	6 0	6 6	6	4 8	4 13	7	3 8	3 12
IV	3															
VII	1															
III	3	4	7 0	7 7	5	6 0	6 6	6	4 8	4 13	7	3 8	3 12	8	3 0	3 3
IV	4															
V	1															
VI	1															
VII	2															
VIII	1															
III	4	5	6 0	6 6	6	4 8	4 13	7	3 8	3 12	8	3 0	3 3	9	2 8	2 11
IV	5															
V	2															
VI	2															
VII	3															
VIII	2															
III	5	6	4 8	4 13	7	3 8	3 12	8	3 0	3 3	9	2 8	2 11	10	2 0	2 2
V	3															
VI	3															
VII	4															
VIII	3															
V	4	7	3 8	3 12	8	3 0	3 3	9	2 8	2 11	10	2 0	2 2	10	2 0	2 2
VI	4															
VII	5															
VIII	4															
V	5	8	3 0	3 3	9	2 8	2 11	10	2 0	2 2	10	2 0	2 2	10	2 0	2 2
VI	5															
VIII	5															

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11. *Revision of wet ayacut*—(i) *Sources other than Kurnool-Cuddapah canal*—(a) *Transfer from dry to wet.*—There will be no general revision of wet ayacuts, but the existing ayacuts of the Cumbum and Markapur tanks will be reconstituted on the following principles:—

Fields registered as 'dry' which have been regularly cultivated with wet crops for five years, and which in the opinion of the Settlement Officer can be irrigated economically and without prejudice to the existing registered wet ayacut, and fields registered as 'dry' from which in the opinion of the Settlement Officer it is impossible to exclude water, will be transferred to wet.

(b) *Transfer from wet to dry.*—Fields registered as 'wet' which, owing to their situation or for any other reason, are unfit for wet cultivation, will be transferred to 'dry', provided the owners consent. Wet lands deliberately rendered unfit for wet cultivation, not because the supply of water is insufficient but because the growing of dry crops is more profitable, will be retained as wet. A note to this effect will be made in the resettlement register.

(ii) *Kurnool-Cuddapah canal.*—As the last resettlement, in order to encourage the irrigation of wet crops in the area commanded by the Kurnool-Cuddapah canal, the system of consolidated wet rates was introduced and all lands which grew paddy (including Mundlavari) or a garden crop for five consecutive years were transferred to wet. About 13,200 acres were thus registered as wet under the canal and wet assessment charged. This system did not, however, prove a success as will be seen from the fact that wet crops were actually raised only on a portion of the ayacut while a large extent of land classed as dry has been cultivated with wet crops with the aid of canal water. A reconstitution of the ayacut with a view to make it correspond with the actual state of things on ground is therefore found necessary. It will be carried out on the following principles:—

(a) All dry lands which have been regularly cultivated for five years ending with fasli 1345 with white paddy or other wet or garden crops with the aid of water from the canal or its distributaries or tanks fed by the canal will be registered as wet, provided such lands are found under the head 'systematically irrigated dry' in the ayacut register of the Public Works Department.

NOTE.—Wet crops include white paddy and any other crop which is irrigated for not more than six months. Garden crops include sugar cane, turmeric, betel plantain and any other crop which remain on the ground for more than six months.

(b) Lands now registered as wet but which have not been under continuous wet cultivation for the five years ending with fasli 1345 will be transferred to dry, provided the registered holders apply for the transfer. Application from actual enjoyers will also be accepted provided there are no objections to the transfer by the registered holders.

(c) When portions of fields are eligible for transfer to wet or dry the minimum limit for subdivision will be 25 cents. In effecting subdivisions the ryots will be given the option of locating the portion which is to be subdivided and if they do not exercise this option, the Special Settlement Officer is authorized to determine the portion to be subdivided for transfer to wet, after ascertaining from the ryots the portion invariably under wet cultivation.

(d) The Special Settlement Officer is also authorized to register as wet all lands under the canal, granted under the block rules of 1882 as modified in 1886, whether they have been cultivated with wet or dry crops subject to the owner's consent. The following concessions will be shown to such lands transferred to wet:—

(1) They will be assessed at a rate lower by one sort than that assigned at the resettlement and (2) the additional dry assessment of Re. 1 per acre collected on the unirrigated portion will also be abolished.

12. *Charge for second crop*—(a) *Registered double-crop lands*—(i) **Kurnool-Cuddapah canal.**—**Lands already registered as double crop under the Kurnool-Cuddapah canal will continue to be so registered, if two wet crops have been grown on them in each of the five faslis ending fasli 1345. Other fields will be**

transferred to single-crop or dry, as the case may be. Similarly all single-crop wet or dry lands, on which two wet crops were grown in each of the said five years, will be registered as double crop.

(ii) *Other sources.*—Lands, which in all ordinary seasons have an unfailing supply of water for two wet crops, will be registered as double crop at one and a half times the single-crop assessment, irrespective of the classification assigned to the irrigation source. The existing double-crop ayacut will be reconstituted and compact blocks formed to facilitate economic irrigation on the basis of five years' continuous second-crop wet cultivation.

Lands registered as double crop will be eligible for a remission of the difference between the double and single-crop charges, if the water-supply be insufficient for two crops in any year.

(*b*) *Registered single-crop lands.*—The charge for a second-crop on land registered as single crop will be in accordance with paragraph 1 (1) and (2) of Board's Standing Order No. 5 or whatever corresponding orders may be in force for the time being.

(*c*) *Compounded double-crop lands.*—Holders of registered single-crop lands will be given the option of compounding the charges for two wet crops at the standard rates where the supply of water is not ordinarily unfailing:—

Lands under a second-class source at one and one-third times one single-crop charge.

Lands under a third-clas source at one and one-fourth times the single-crop charge.

Lands under a fourth-class source at one and one-fith times the single-crop charge.

Lands under a fifth-class source at one and one-sixth times the single-crop charge.

When the irrigation under sources placed in the third, fourth or fifth classes is supplemented by substantial private wells, the excess over the single-crop charge levied for the second crop will be reduced by one-half. This concession will not be extended to lands the irrigation of which is supplemented by doruvu wells. Lands now registered as 'compounded double crop' will continue to be so registered unless they are fit to be registered as ordinary double crop with reference to clause (*a*) (ii) above and the rate of composition will in each case be the standard rate shown above as appertains to the class in which the source is placed at the resettlement. Lands charged at compounded rates are not entitled to separate remission of the second-crop charge, and the full compounded rates will be collected even in cases where only one wet crop is raised. Ryots who wish to compound the second-crop charge on their lands should apply in writing to the Settlement Officer, through post within one month of the issue of this notification.

(*d*) The Government reserve the right to register any land as double-crop wet during the currency of the resettlement if the supply of water to such land is found to be ordinarily unfailing and to alter the charge on the land so registered as double-crop wet as to include the charge for second-crop.

13. *Wet lands irrigated by baling.*—The baling remission of one rupee per acre usually allowed for the first crop will continue. The baling remission for second crop will also continue to be one-fourth the second-crop charge. Where lands are irrigated by baling from one source and by direct flow from another, the rates will be worked out separately for each source and the higher of the two rates applied.

VI. Dry Lands.

14. *Dry grouping.*—The existing grouping of dry lands will continue unaltered, except in the following cases:—

(i) *Markapur taluk.*—Thirteen villages of Markapur taluk have been placed in group II. The conditions in ten of these villages approximate only to those of the III group villages and the Government have decided as a measure of relief to reduce the grouping of these villages from II to III.

Number and name of village.	Number and name of village.
71. Kolabhimunipadu.	80. Nikarampalle.
72. Jammanapalle.	81. Peddanagulavaram.
73. Sunkesula.	88. Chintakunta.
77. Pedda Aravidu.	92. Bhupatipalle.
79. Devarajughattu.	93. Bondalapadu.

In the remaining three villages, viz., 82. Markapur, 87. Vemulakota and 90. Tippayapalem the regar soil is of a somewhat better quality and the general level of prosperity higher. They will therefore remain in the II group.

(ii) *Cumbum taluk.*—Thirteen villages of Cumbum commanded by the Cumbum tank have been placed in III group. The soils in these villages are neither unfertile nor are they at a disadvantage in the matter of situation, compared with the villages placed in group II. The Government have therefore decided to raise these villages from group III to II.

Number and name of village.	Number and name of village.
12. Kandulapuram.	25. Papayapalle.
13. Nadimpalle.	27. Bestavarapeta.
14. Aurangabad.	28. Somavarapeta.
21. Ravipadu.	29. Porumamillapalle.
22. Hazaratgudem.	30. Cumbum.
23. Kagitalagudem.	47. Chinna Cumbum.
24. Chintalapalem.	

15. *Commutation rates.*—At the last resettlement cholam and arika were adopted as the standard crops for the taluks of Kurnool proper and cholam for the other taluks. The commutation rates adopted for these crops at the last resettlement subject to a deduction of 15 per cent for cartage and merchants' profits compare as shown below with similar rates arrived at on the average prices of the ryots' selling months of the same crops during the twenty non-famine years ending fasli 1343 :—

Tract.	Crop.	Last resettlement commutation rate.	Present commutation rate.	Percentage of increase.
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	
Kurnool proper	Cholam.	142	342	141
	Arika ..	95	248	161
Pattikonda	Cholam.	130	329	153
Koilkuntla	Do.	144	321	123
Cumbum and Markapur	Do.	139	365	163

The present commutation rates exceed the old rate by 123 to 163 per cent.

16. *Money rates.*—At the last resettlement, the Government were pleased, as a matter of grace, to impose a uniform enhancement of 7·55 per cent or slightly more than 1 anna in the rupee in Kurnool proper and to leave the dry rates in the other tracts unaltered. Making allowance for promoting a higher standard of comfort among the ryots the Government consider that on the basis of the rise in the prices of the dry grains by 123 to 163 per cent the enhancements of the existing dry rates of and above rupee one by 12½ per cent is justified. It will, however, be left to the future Government, if and when they deem fit, to impose this enhancement of such other rates, as they may decide upon. The following table compares the old rates and the new rates that will be leviable in the several tracts in accordance with the increases referred to above.

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Dry lands.

Class and sort of soil.						I group.			II group.			III group.		
III	IV	V	VI	VII	VIII	Taram.	Existing rate.	Proposed rate.	Taram.	Existing rate.	Proposed rate.	Tarm.	Existing rate.	Proposed rate.
							Koilkuntla.							
							RS. A.	RS. A.		RS. A.	RS. A.		RS. A.	RS. A.
1	..	..	..	..	..	1	4 0	4 8	2	3 0	3 6	3	2 4	2 9
2	1	..	..	.	..	2	3 0	3 6	4	2 0	2 4	6	1 8	1 11
2	..	..	1	..	..	5	1 12	2 0	6	1 8	1 11	7	1 4	1 7
3	2	1	..	..	..	5	1 12	2 0	7	1 4	1 7	8	1 0	1 2
3	..	..	2	1	..	6	1 8	1 11	7	1 4	1 7	8	1 0	1 2
4	3	2	..	2	1	9	0 12	0 12	10	0 8	0 8	10	0 8	0 8
4	..	3	..	..	2	11	0 4	0 4	11	0 4	0 4	11	0 4	0 4
							Pattikonda.							
1	..	..	..	..	..	1	3 0	3 6	2	2 8	2 13	3	2 0	2 4
2	1	..	..	..	..	4	1 12	2 0	5	1 8	1 11	6	1 4	1 7
3	2	..	.	..	..	6	1 4	1 7	7	1 0	1 2	8	0 12	0 12
.	..	..	1	..	..	6	1 4	1 7	6	1 4	1 7	6	1 4	1 7
.	..	..	2	..	..	8	0 12	0 12	8	0 12	0 12	8	0 12	0 12
.	..	1	..	..	..	7	1 0	1 2	7	1 0	1 2	8	0 12	0 12
.	..	..	..	1	..	7	1 0	1 2	7	1 0	1 2	7	1 0	1 2
4	3	2	..	2	1	9	0 8	0 8	9	0 8	0 8	9	0 8	0 8
.	..	3	..	..	2	10	0 4	0 4	10	0 4	0 4	10	0 4	0 4
							Cumbum and Markapur.							
1	..	..	..	..	..	1	3 0	3 6	2	2 4	2 9	3	1 8	1 11
2	1	..	..	..	..	2	2 4	2 9	3	1 8	1 11	5	1 0	1 2
3	2	1	..	..	..	3	1 8	1 11	5	1 0	1 2	6	0 12	0 12
.	..	..	1	..	..	3	1 8	1 11	4	1 4	1 7	5	1 0	1 2
.	..	..	2	1	..	4	1 4	1 7	5	1 0	1 2	6	0 12	0 12
4	3	2	3	2	1	5	1 0	1 2	6	0 12	0 12	7	0 8	0 8
.	..	3	..	3	2	6	0 12	0 12	7	0 8	0 8	8	0 6	0 6
.	..	..	..	..	3	7	0 8	0 8	8	0 6	0 6	9	0 4	0 4
							Kurnool district except the above taluks.							
1	..	..	..	..	..	1	2 8	2 13	2	2 0	2 4			
2	1	..	..	..	..	3	1 8	1 11	4	1 4	1 7			
3	2	1	..	..	..	5	1 0	1 2	6	0 12	0 12			
.	..	..	1	..	..	5	1 0	1 2	5	1 0	1 2			
.	..	..	2	1	..	6	0 12	0 12	6	0 12	0 12			
4	3	2	..	2	1	7	0 8	0 8	7	0 8	0 8			
.	..	3	..	..	2	8	0 4	0 4	8	0 4	0 4			

17. *Manavari lands.*—Fields now classed as manavari will be registered as rdinary dry and be assessed at the dry rates appropriate to their soil classification lready assigned at the last resettlement.

18. *Water-cess on dry lands.*—The levy of water-rates will be governed by the ules notified by the Government from time to time.

19. *Lands irrigated from wells.*—Dry lands irrigated solely from wells situated n occupied lands will not be charged for the use of the water.

Land forming the ayacut of doruvu wells registered as dry in the accounts /ill be charged water-rate at one-fourth of the rate usually charged for water upplied to a wet crop, if the water is raised by a single lift, and at one-eighth f the same rate if the water is raised by a double lift. The rate will not depend n the crop grown. No charge will be made for the cultivation of a second crop nder these wells. These concessions will not apply to inams settled as wet under oruvu wells.

Lands under dasabandham wells will remain as dry, and will be treated in the ame manner as lands under single lift doruvu wells referred to above. For the urpose of the levy of water-rate all dasabandham wells will be retained as II class sources of irrigation.

20. *Lands irrigated from private tanks.*—Dry lands irrigated from private anks situated in the holdings of ryots and constructed with the Collector's per-aission are not liable to the payment of water-rate, unless the conditions subject

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to which the permission was granted lay down otherwise. The authorized waterspread of such of the tanks, as were not cultivated within ten years immediately preceding the construction of the tanks will be exempt from payment of dry assessment.

21. *Achukkattus.*—The Government reserve the right to impose at any time during the period of resettlement whatever additional assessment they may deem necessary on any dry land on which wet crops are, or may hereafter be, raised by the aid of achukkattus in a manner which, in the opinion of the district authorities, is objectionable.

VII. LANDS IN THE WATERSPREAD OF IRRIGATION SOURCES.

22. Lands in the waterspread of Government sources of irrigation, which are held on patta, will be recommended to the Collector for acquisition and registry as *poramboke*, if the cultivation of such lands causes real injury to the cultivators in the ayacut and the cost of acquisition thereof is not prohibitive. Where these two conditions do not co-exist, the waterspread lands held on patta will, whether they have hitherto been shown in the revenue accounts as wet or dry, be classed as 'dry' and will be assessed at a special rate intermediate between the corresponding wet and dry rates, the rate depending on the degree of advantage which the lands derive from submersion, unless such lands are irrigated from and included in the ayacut of a source different from and unconnected with the one in the bed of which they are situated. The assessment so fixed will be leviable in all seasons, whether the lands are cultivated or not. Lands already assessed at special rates at the last resettlement and others which have been shown in the revenue accounts as 'liable to submersion' will be examined and the rates of assessment suitably revised. No charge for water will be made on account of any benefit accruing to the land from involuntary submersion by the water of the tank in the bed of which it is situated.

VIII. SPECIAL RATE LANDS.

23. The assessment on special rate lands will be revised in accordance with paragraph 10 of Board's Standing Order No. 8, that is to say, the special rate will be altered in the same proportion as the average assessment on the dry lands of the village in which the 'special rate lands' are situated.

IX. GROUND-RENT.

24. Government reserve the right to impose at any time during the currency of the resettlement whatever ground-rent they may deem necessary on ryotwari lands assigned subsequent to the date of this notification, if they are used for building purposes.

25. When the resettlement results in an increase of more than 25 per cent in the assessment payable on any individual patta, the increment will be spread over a series of years. This concession will not be applied to—

(*a*) enhancement which are due to

(i) the transfer of land from dry to wet; or

(ii) to the transfer of land from single crop to double crop, or

(*b*) to cases in which the total increase does not exceed one rupee.

26. In cases in which increment remission is admissible the assessment will be levied in the following manner:—

In the first year, the assessment payable will be the old assessment plus an additional sum not exceeding 25 per cent thereof; in the second year the assessment payable will be the old assessment plus an additional sum not exceeding 37½ per cent of the old assessment; in the third year a further addition of not more than 12½ per cent will be made and so on until the the full resettlement rate is reached; provided that the increment of assessment in any one year shall not be less than one rupee unless and until the full resettlement rate is reached. If, in any case, it should happen that the application of this method will not admit of the full resettlement rate being reached by the twelfth year, the percentage rate of increase to be adopted in the second and succeeding years will be so raised that the full resettlement rate shall be reached in the twelfth year.

27. If the whole or any portion of the land held by a registered holder at resettlement is alienated or relinquished and re-assigned, the full resettlement

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rate will be levied from the new holder with effect from the fasli in which the transfer takes place. In such cases the amount of remission equitably due on any portion of the holding which remains in the possession of the original registered holder will be fixed by the Tahsildar subject to the control of the Jamabandi Officer by the application of the principles already laid down above. When one of the holders of a joint holding transfers his interest therein, either to co-registered holders or to a stranger, increment remission will be admissible so long as the joint holding remains intact and so long as one or more of the original holders retains his or their interest therein but when all the joint holders have transferred their interest in the holding the full resettlement rate will be levied with effect from the fasli in which the last of such transfers takes place.

X. Registry of Holdings.

28. *The revenue adangal will form the basis for the resettlement.* Requests for rectification of registry should be made to the local Revenue Officers.

XI. Rough Pattas.

29. *No rough pattas will be issued at the time of resettlement,* but notice will be given to registered holders of such alterations in the taram and description of land as may be carried out in respect of holdings in accordance with the principles enumerated in the preceding paragraphs.

30. *Objections to be heard.*—Objections to the notices should be preferred through the post to the Special Assistant Settlement Officer, Kurnool.

31. Errors found in the notice in regard to survey numbers, areas, names of registered holders and the registration of lands as dry, wet, Government, inam, poramboke or the like can be corrected at any time during or after the resettlement if brought to notice by the party interested.

32. *Objections barred.*—No objections will be admitted as to the rates of assessment in the case of lands on which the old money rate remains unaltered or has only been altered by a percentage increase in accordance with paragraphs 9 and 16 of this notification.

33. *Appeals.*—Parties must obtain written orders from the Special Assistant Settlement Officer, Kurnool, before filing appeals against any decision passed under paragraph 32. Appeals must be preferred to the Board of Revenue within forty days from the date of communication of the order appealed against. These periods are exclusive of the time occupied in obtaining copies of the orders appealed against and in cases in which the original order was communicated by post, they are also exclusive of the time which the order would take to reach the party in the ordinary course of business. With the appeal petition must be sent the original or a copy of the order appealed against. Appeal petitions need not be stamped but copies and enclosures appended thereto must be stamped in accordance with the rules.

XII. Relinquishments.

34. If in any of the taluks under resettlement it is found impossible to issue the notices referred to in paragraph 32 above before the date fixed for the acceptance of relinquishments for the fasli in which the new rates are to be introduced the time within which relinquishments may be made will be extended until a month after the close of the enquiry into objections to notices, in order to enable landholders to make such changes in their holdings as they may decide to make with reference to the revised rates imposed at the resettlement. Lands relinquished must consist of entire survey fields or entire subdivisions indicated by subnumbers or subdivision letters which are separately recorded in the notices.

Note.—The prescribed dates for relinquishment in the several tracts in the year of resettlement are—

(i) Kurnool proper, dry, 15th July 1935.

(ii) Kurnool proper, wet, 15th July 1936.

(iii) Koilkuntla and Pattikonda, 15th July 1936.

(iv) Cumbum and Markapur, 15th July 1930.

XII. Kistbandi.

35. The existing kistbandi in the district will remain unaltered.

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XIV. DURATION OF RESETTLEMENT.

36. (a) Subject to the provisions of paragraphs 1, 9 and 16 above and of clauses (b) and (c) below, the changes introduced in accordance with the terms of the previous paragraphs will remain in force for the periods noted below and no other changes will be introduced during these periods.

Description.	Term of resettlement.
(i) Dry lands in the Kurnool proper villages in the taluks of Dhone (13), Kurnool (85), Nandikotkur (87), Nandyal (73), Sirvel (86).	30 years from fasli 1346.
(ii) Dry lands in Pattikonda (70) and Koilkuntla (83) and old Pattikonda villages in Dhone (26) and Kurnool (7) and the one Koilkuntla village in the Sirvel taluk.	Do.
(iii) Wet lands in all the taluks other than Cumbum and Markapur taluks.	Do.
(iv) Both wet and dry lands in Cumbum and Markapur taluks.	27 years from fasli 1349.
(v) Dry lands in one entire village and part of another village of the Jammalamadugu taluk of the Cuddapah district now in Koilkuntla taluk.	29 years from fasli 1347.

The Government reserves to themselves the right to revise thereafter the assessment on lands in such manner as may then seem just and proper, but no enhancement of assessment will then be made in respect of any additional value which may have been imparted to lands by improvement effected by the ryots whether such improvements have been carried out by money borrowed from Government or otherwise.

(b) The Government reserve the right to alter or revise within the period fixed for the duration of the resettlement, the classification of lands adopted at the resettlement and to impose additional assessment or to substitute ground-rent for assessment, as the case may be, in the following cases:—

(i) Where on lands classed as dry, wet crops are or may hereafter be raised by the aid of achukkattus.

(ii) Where ryotwari lands assigned subsequent to the date of the notification are used for building purposes.

(iii) Where irrigation facilities are improved by Government during the currency of resettlement.

(iv) Where the lands have been included in the ayacut of any irrigation work constructed or extended by Government during the currency of the resettlement.

(v) Where lands are included in the waterspread of a tank.

(vi) Where dry lands are converted to wet or a second wet or irrigated dry crop is raised on registered single-crop wet lands.

(c) The Government also reserve the right to change from time to time the rate of water-charge and the method of calculating it in the case of lands not registered as wet.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Friday, the 28th August 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. Ramachandra Reddi) in the Chair.

PRESENT:

Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, K.C.I.E., The Hon. the.
Rajan, The Hon. Mr. P. T.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur, A. M.
Alagannan Chettiyar, Rao Sahib A. S.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani, Mr. S. M. K.
Bhanoji Rao, Mr. A. V.
Birley, Mr. F.
Dalavoi, Mr. R.
Davis, Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. G. F. F.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Harischandrudu Nayudu, Mr. A.
Hodgson, Mr. G. H.
Hood, C.I.E., I.C.S., Mr. H. M.
Indrayya, Mr. C.
Iswaran Pillai, Mr. I. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnamurti, Rao Bahadur D.
Krishnayya Choudari, Mr. P. V.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Mahabaleswarappa, Mr. Y.
Mahboob Ali Baig Sahib Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muniswami Pillai, Rao Sahib V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthiah Chettiyar of Chettinad, Rajkumar Mr. M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa Bahadur, Rao Bahadur Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimbaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliar, Diwan Bahadur C.
Nayagam, Mr. C. D.
Obi Reddi, Mr. C.
Palat, Mr. R. M.
Patnaik Mahasayo, Sriman M. G.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Pattagar of Palayakottai.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Diwan Bahadur T. A.
Ramalinga Reddi, Mr. C.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Ratnavelu Thevar, Mr. P.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.

PRESENT—*cont.*

Sandana Gounder, Mr. I.
Schamnad Sahib Bahadur, Khan Bahadur Mahmud.
Scott Brown, I.C.S., Mr. W.
Sesha Reddi, Rao Bahadur B. P.
Shaik Mohamad Laljan Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Smith, Mr. J. M.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Bahadur.
Uzielli, C.I.E., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Rao Sahib M.
Venugopal Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Tekkali, Senior.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Excise

Adoption of the group system in the auction of liquor shops.

* 59 *Q.*—Mr. A. B. SHETTY: With reference to the question No. 671, dated 1st February 1936, and the answers given thereon, will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the number of occasions the group system was used for auctioning shops since the method was recognized in 1896;

(*b*) whether it is a fact that this method was abandoned as ill-suited and its revival is of recent date;

(*c*) whether the Government were informed of the adoption of the system before the Commissioner of Excise decided to revive it;

(*d*) whether the adoption of the group system is not subject to conditions laid down by the Government;

(*e*) if the answer to clause (*d*) is in the affirmative, what the conditions laid down are;

(*f*) if the answer is in the negative, whether he proposes to lay down the circumstances in which it could be adopted;

(*g*) whether the Government have considered the question if the adoption of the group system will create monopoly or vested interests and prove a serious menace to the adoption of the Government policy of prohibition;

(*h*) whether the group system was adopted with a view to increase revenue; and

(*i*) what the average monthly rentals of the shops has been in respect of which the group system has been adopted, before and now?

A.—(*a*) The information is not available and cannot be obtained without considerable labour.

(*b*) The answer is in the negative.

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(*d*) & (*e*) No special conditions have been laid down. The system is adopted whenever circumstances require it, and if there is no hope of obtaining reasonable rentals by selling shops singly.

(*f*) No.

(*g*) The Government do not consider that the system will have any such consequences.

(*h*) The system was adopted because local circumstances rendered it desirable. The adoption of the system resulted in an increase in rentals.

(*i*) The attention of the hon. Member is invited to the answers given to clauses (*b*), (*c*) and (*f*) of question No. 671 answered on 1st February 1936. The Government have no further information.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Minister whether any extra income has been derived on account of the group system that has been adopted in and around Salem town during the year 1935–36? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Oh, yes, Sir. He put the question on a previous occasion, and I answered it."

Mr. K. A. NACHIYAPPA GOUNDER:—" My question now, Sir, is whether any extra income has been derived."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I say we have got more money by selling the shops on the group system."

Mixing of toddy for shops under the group system.

* 60 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Public Health be pleased to place on the table of the House the report called for in reply to question No. 673 answered on 1st February 1936?

A.—In question No. 673 asked on 1st February 1936 information was sought on the following points:—

(*a*) Whether the toddy tapped from trees marked for a particular shop could be mixed up with toddy from trees specifically marked for other shops, and a general distribution made to various shops as demands arose day by day.

(*b*) Whether this method could be adopted ordinarily or whether any special permission was required for doing so.

(*c*) Whether it was a fact that such a practice was followed at the group shops at Salem and that permission had been granted therefor.

The *Commissioner* of Excise has reported that the method referred to in clauses (*a*) and (*b*) above is not allowed when shops are sold separately but that it may be permitted, *under special authority* and subject to safeguards, if it is found necessary to sell shops in a group. The answer to clause (*c*) is in the affirmative.

Proposals for opening new toddy shops in Salem district for the lease year 1936–37.

* 61 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) how many new toddy shops are proposed to be opened for the coming lease year commencing from October 1936 in each of the revenue divisions, and in the municipal area in Salem district;

(*b*) on whose motion these new shops are proposed to be opened; and

(*c*) what the resolutions of the Excise Advisory Committee of each of these areas are about this proposal, and whether copies of them will be placed on the table?

A.—The Government have no information but as already stated on the 31st January 1936 in answer to question No. 667, the opening of new shops is one of the measures which have been taken to check offences against the abkari laws, and the Commissioner has issued instructions to Collectors to formulate and place before the Excise Advisory Committees and Licensing Boards proposals for opening new shops where Abkari crime has been found to exist.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Minister whether by this policy of opening new shops year after year the Government will be able to achieve their goal of prohibition? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" This will achieve their object of stopping illicit sales."

Proposal to open a new toddy shop in Konganapuram Mitta, Salem district.

* 62 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether a new toddy shop is proposed to be opened near the borders of Konganapuram Mitta in Sankari Excise circle of Salem district;

(*b*) what the distance is of this proposed shop from the one at Idappadi;

(*c*) on whose proposal this shop is to be opened;

(*d*) what the opinion expressed by the Excise Sub-Inspector of the area is in the matter and whether a copy of it will be placed on the table; and

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(*e*) whether objections have been received with regard to the opening of this shop, and if so, from whom and how they have been disposed of?

A.—(*a*) The proposal is to open a shop in Chinnamanali village, which is outside the limits of Konganapuram mitta.

(*b*) About $3\frac{1}{2}$ miles.

(*c*) The Collector made the proposal on the recommendation of the local Excise Officers. The proposal was approved by the Excise Advisory Committee, Sankari Revenue Division.

(*d*) The Government have no information.

(*e*) A mahazar from the residents of Konganapuram and certain other villages objecting to the opening of the shop was forwarded by the hon. Member who has asked this question. A reply explaining the necessity for an additional shop at the place was sent to the hon. Member on 24th June 1936.

Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask the Hon. Minister whether the information given in answer to clause (*b*) that the distance of the proposed shop from the one at Idappadi is about $3\frac{1}{2}$ miles is correct? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" I see no reason to doubt its correctness. It has been given by the Commissioner of Excise."

Visit of the Special Botanist to Guntur for study of soil conditions for the cultivation of ganja.

* 63 *Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the* Minister for Education and Public Health be pleased to state—

(*a*) when the report of the Special Botanist who has visited some places in Guntur for the selection of site for ganja cultivation will be received; and

(*b*) whether the Special Botanist has met and discussed the nature of the soil in Guntur with any of the officers of the Agricultural department?

A.—(*a*) The Government have no information. They are expecting no such report.

(*b*) The Government have no information.

Mr. P. V. KRISHNAYYA CHOUDARI :—" May I know whether a report on this matter is likely to be placed before this House for our information? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Not likely."

Mr. P. V. KRISHNAYYA CHOUDARI :—" May I know whether the Government are not prepared to consult the Director of Agriculture before they select a suitable site for ganja cultivation, instead of

depending upon the Special Botanist, especially when the Government have got at their disposal the Director of Agriculture who is supposed to be an expert on the subject? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is being done by the Special Botanist. He is an expert on this particular matter."

Mr. P. V. KRISHNAYYA CHOUDARI:—" I am asking whether, instead, the Government will not consult and act on the opinion of the Director of Agriculture who is in charge of the Agricultural department and who is supposed to be a better authority? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think I can make any such distinction."

Mr. K. KOTI REDDI:—" May I know if the expertness depends upon the amount of salary that one gets? " (Laughter.)

Demonstration by the Special Botanist regarding the cultivation of ganja in Santaravur.

* 64 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether any demonstration has been made by the Special Botanist in a plot at Santaravur;

(*b*) whether the Special Botanist has determined the amount of manure required for an acre of land for cultivation of ganja; and

(*c*) what the amount is of manure spent by the Special Botanist n his demonstration?

A.—(*a*) The Special Ganja Botanist carried on cultivation in two plots, in one for experimental purposes and in the other in order to obtain seed.

(*b*) The Government have no information.

(*c*) The Special Botanist used 20 cart-loads of farm yard manure and 500 lb. of groundnut cakes per acre as basic application for the experimental plot and the seed farm. In the experimental plot a manurial trial with artificial fertilizers was conducted on a small scale. At the time of second irrigation, a small quantity of sheep manure in liquid form was applied in the irrigation water.

Relative strength of rainfed and irrigated ganja crops.

* 65 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the [inister for Education and Public Health be pleased to state the relative rength of rainfed crops and irrigated crops in ganja?

A.—The experiments conducted by the Ganja Special Botanist show that the yield of the irrigated crop is more than double the yield of the rainfed crop and that the quality of the ganja of the irrigated variety is in no way inferior to the rainfed product.

Shifting of ganja cultivation from Guntur to Bhimavaram.

* 66 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the reasons for shifting some portions of ganja cultivation from Guntur to Bhimavaram near Nandyal;

(*b*) the cost involved therein; and

(*c*) whether the soil at Bhimavaram is suitable for irrigated ganja crop?

A.—(*a*) The reasons were explained to the hon. Member who has asked this question in a letter, dated the 2nd July 1936, a copy[a] of which is annexed.

(*b*) No extra cost is involved.

(*c*) Yes.

Reduction of the acreage of ganja cultivation in Santaravur.

* 67 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the Government have reduced the acreage of ganja cultivation in Santaravur after the selection of site in Bhimavaram;

(*b*) whether any notice was given to the ryots at Santaravur about the proposed transfer;

(*c*) if so, on what date the notification was published or intimated to the public;

(*d*) whether it is a fact that the cultivation of ganja is being done by turns in pursuance of an order of the Commissioner of Excise; and

(*e*) if so, what the usual turn is for this year and which group of ryots are to cultivate this year?

A.—(*a*) The Commissioner of Excise is the authority who determines the area to be cultivated. He reported in May 1936 that an area of 175 acres would be cultivated at Santaravur and 75 acres at Bhimavaram.

(*b*) & (*c*) The Government have no information, but the Commissioner of Excise reported in June 1936 that the intention to restrict cultivation at Santaravur as far as possible to lands having irrigation facilities became more or less widely known to the local ryots as early as April 1936.

(*d*) Yes.

(*e*) There are 4 blocks, E, F, C and B which have hitherto been cultivated in rotation. This year's turn would have fallen to block 'F' but as this block does not possess the same irrigation facilities as block 'C' which is the next in rotation, the Commissioner has sanctioned cultivation in block 'C.'

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[a] Printed as Appendix I on pages 298–299 infra.

Mr. P. V. Krishnayya Choudari:—" May I know whether before removing ganja cultivation from the Guntur district the Government will at least consider whether a suitable site is available for such cultivation in our district? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" The Special Botanist has examined a number of places, and the one that has been chosen is considered the best for the purpose."

Mr. P. V. Krishnayya Choudari:—" May I know whether the Government are aware that such lands as are described in the previous report of the Specialist are not available in the Guntur district? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" The Government have not received any further information. They do not consider it necessary."

Registration

Inapplicability of the Communal Rotation Rule to cases of promotion of clerks to the cadre of sub-registrars.

* 68 *Q.*—Mrs. A. Rukmani Lakshmipathi: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government have issued orders to the Inspector-General of Registration that under the proviso with respect to subordinate service general rule 7, the Communal Rotation Rule is not applicable to promotion of clerks to Sub-Registrar's cadre;

(*b*) on what principle selection was made by the Inspector-General in July 1936, whether by seniority or by communal rotation; and

(*c*) whether the Inspector-General has carried out the orders of the Government in the matter of selection and, if not, whether the Government will take immediate steps to rectify the wrong done?

A.—(*a*) Yes; but when the person so appointed becomes a full member of the Madras Registration Subordinate Service, he will be deemed to be a person appointed in the turn allotted to the community to which he belongs.

(*b*) The Government have no information.

(*c*) Does not arise.

Mr. M. Devadasan:—" May I know, Sir, whether Government are aware of the fact that the non-application of communal rotation in the matter of promotions of clerks has adversely affected the clerks who would otherwise have been promoted as sub-registrars? "

The Hon. Mr. P. T. Rajan:—" I do not think so; because promotions are made on the seniority basis and not on communal basis."

Mr. M. Devadasan:—" May I know why there is a differential treatment adopted in the case of clerks for promotion as sub-registrars,

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while in the case of sub-registrars on promotion to higher grades the principle of communal rotation is applied as and when vacancies arise?"

The Hon. Mr. P. T. Rajan:—"In the case of promotions, the communal rotation rule is not applied."

Cases of alleged corruption among sub-registrars.

*69 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state how many cases of receipt of illegal gratification by the sub-registrars have been brought to the notice of the Inspector-General of Registration in each of the years since 1930–31, and what the punishment meted out is in each of such cases which proved to be true?

A.—The Government have no information but have called for it.

Mr. K. A. Nachiyappa Gounder:—"May I ask whether Government will be pleased to make the information available to us when it is received by them?"

The Hon. Mr. P. T. Rajan:—"As soon as we get the information, if it is considered worthwhile, we will make it available."

Mr. M. A. Manikkavelu Nayakar:—"The Hon. Minister during last March admitted that there was corruption in this department. May I know what steps he has taken to minimise corruption?"

The Hon. Mr. P. T. Rajan:—"The hon. Member is not correct in saying that I admitted the existence of corruption in the Registration department. I said, 'if there is any corruption at all, it is not confined to this department alone.' If there is any case of corruption in the department, it may be brought to my notice."

Proposals for the closure of certain sub-registry offices as a measure of economy.

*70 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether there are or were any proposals under consideration of the Government to close down certain sub-registry offices as a measure of economy;

(*b*) if so, what they are and which the offices proposed to be closed are;

(*c*) what the income and expenditure are of each of those offices separately for each year since 1930–31; and

(*d*) what further action the Government propose to take in this behalf?

A.—(*a*) The question of reducing the number of sub-registry offices as a measure of economy is under consideration. Definite proposals have been called for from the Inspector-General of Registration and his reply is awaited.

Mr. K. A. Nachiyappa Gounder:—"May I know what are th principles to be adopted in closing down certain offices?"

The Hon. Mr. P. T. Rajan:—"It was thought that by closin down a number of sub-registry offices economies can be effected but Government have not made up their mind, and the matter i still under consideration."

Mr. A. B. Shetty:—"May I ask what the Inspector-General o Registration suggested? Is he in favour of reducing the number o offices?"

The Hon. Mr. P. T. Rajan:—"Nobody is in favour of reducin the number of offices, Sir. As I said, it is only to effect econom reduction of offices was thought of."

Imposition of fees on appeals for registration of documents.

*71 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. th Minister for Public Works be pleased to state—

(*a*) whether a fee of Rs. 10 is being levied newly during th current year for appeals preferred by parties in the matter of registra tion of documents by the Registration department;

(*b*) if so, whether a copy of the order passed in the matter wil be placed on the table; and

(*c*) whether any representations or protests have been receive against the levy and, if so, from whom and in what way they hav been disposed of?

A.—(*a*) & (*b*) The attention of the hon. Member is invited to the answers to clauses (*b*) and (*c*) of Legislative Council question No. 966 given on 16th March 1936.

(*c*) No representations or protests have been received by the Government.

Mr. K. A. Nachiyappa Gounder:—"May I ask the Hon. Minister what the income that will be derived from this source will be?"

The Hon. Mr. P. T. Rajan:—"I think I have repeated the answer to this question several times, that by levying these charges we propose to get about Rs. 30,000 a year."

Mr. K. A. Nachiyappa Gounder:—"May I know whether it is from this fee of Rs. 10 alone or also from the fee of 2 annas on copy applications?"

The Hon. Mr. P. T. Rajan:—"On the item of 2 annas fee and on the item of Rs. 10 fee, both together we hope to realize Rupees 30,000 a year."

Imposition of a fee on applications for copies of registered documents and encumbrance certificates.

*72 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether fees are levied at the rate of two annas for each application for copies of registered documents and encumbrance certificates from the registration offices;

(b) if so, whether a copy of the order passed in the matter will be placed on the table; and

(c) whether any representations or protests have been received with regard to this levy and, if so, from whom and in what way they have been disposed of?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given on 19th March 1936 to clause (a) of Legislative Council question No. 984.

(c) No representation or protests have been received by the Government.

Mr. G. Rameswara Rao:—" May I know whether the Hon. the Minister is not aware that commercial firms send replies to enqnirers without charging anything for postage which is treated as part of the administrative charges? "

The Hon. Mr. P. T. Rajan:—" I suppose commercial firms make profit otherwise. Here, in this department we have to make both ends meet."

Imposition of charges for envelopes used in returning registered documents to parties concerned.

* 73 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the envelopes in which the registered documents are returned to the parties from the registration offices are to be charged at half an anna each in addition to the postal charges recovered from them (the parties); and

(b) if so, from which date such a procedure is followed and whether a copy of the Government Order passed in the matter will be placed on the table?

A.—(a) Yes.

(b) From the date on which the amendment of rule 109 of the Registration rules was published in the *Fort St. George Gazette*, i.e., 30th June 1936. The attention of the hon. Member is invited to the notification amending the said rule issued by the Inspector-General of Registration and published at page 755 of Part II of the *Fort St. George Gazette*, dated the 30th June 1936.

Mr. K. A. Nachiyappa Gounder:—" May I ask whether this proposal of charging for envelopes has been initiated by the Government or whether the Inspector-General submitted proposals to that effect? "

The Hon. Mr. P. T. Rajan:—" The proposal seems to have been approved by the Government on the recommendation of the Inspector-General."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether there is no other way of making the collection for this charge?"

The Hon. Mr. P. T. RAJAN:—"These small collections will not be felt much, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask the Government to charge the exact cost price and not make a profit from this source?"

The Hon. Mr. P. T. RAJAN:—"I do not think we are going to make a profit out of this. It represents only the cost price."

Maintenance of adangals or register of holdings in the registration offices.

* 74 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Public Works be pleased to state whether adangals or registers of holdings are kept and maintained in all the sub-registry and registry offices in order to verify the ownership of properties about which documents are brought for registration; if not, why not?

A.—According to the departmental orders issued under the authority of the Inspector-General of Registration, a 'Fieldwar index' and a 'Register of holdings' have to be maintained in all registering offices.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. Minister whether since very many offices are not having complete accounts of the register of holdings or adangals, the Government will be pleased to enquire into the matter whether all the offices have been maintaining complete registers?"

The Hon. Mr. P. T. RAJAN:—"The answer says 'a fieldwar index and a register of holdings have to be maintained in all registering offices'."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"The answer says, 'a fieldwar index and a register of holdings have to be maintained.' May I know whether they are actually maintained by all registering offices?"

The Hon. Mr. P. T. RAJAN:—"I should think so, Sir."

Mr. K. A. NACHIYAPPA GOUNDER:—"I find that the offices maintain this fieldwar index. But all the offices have not got the register of holdings or adangal register. That is the information I got. Will the Hon. Minister be pleased to enquire into the matter and see whether all the offices are maintaining the register of holdings or adangal register?"

The Hon. Mr. P. T. RAJAN:—"Yes, Sir. I shall be glad to do so."

Obligation of the Revenue department to report to sub-registry offices subdivisions made of holdings.

* 75 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the fact is duly reported to the sub-registry offices whenever subdivisions of holdings are made in villages by the Revenue department;

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(b) whether such a report is made promptly by the village karnam as soon as a subdivision is ordered or by the tahsildar of the taluk; and, if by the latter, when;

(c) whether any complaints have been received or defects have been brought to the notice of the authorities that such reports are not promptly made, and whether parties are turned out whenever they go up for registration of documents relating to such holdings, unless they are able to take the karnam with the village accounts with them for satisfying the sub-registrar about the existence of such subdivisions; and

(d) if so, what action has been or is proposed to be taken to remedy such defects?

A.—(a) & (b) The hon. Member's attention is invited to paragraph 18 of Board's Standing Order No. 34-A.

(c) No, as far as the Government are aware.

(d) Does not arise.

Working of the photo-stat system in the Registration department.

* 76 Q.—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state—

(a) in which of the districts photo-copying system or photo-stat system in the Registration department is in vogue now;

(b) whether all the documents are copied under this system in those districts or copies are taken as desired by the parties;

(c) what the savings made are in each of those districts on account of the introduction of this system in each year ever since it was introduced;

(d) whether the copies of documents taken by such a process are able to stand for long years without fading;

(e) what opinion has been expressed by the officers of the department in those districts with regard to the working of this system; and

(f) whether the Government propose to extend this system or put an end to it?

A.—(a) There are two systems of photo-copying, viz., cine-film method and photo-stat process. The cine-film method of copying documents is in vogue in the registration district of Madras-Chingleput and in the original registration branch of the District Registrars' offices of East Godavari, Guntur, Salem and Coimbatore districts. The photo-stat process is in force in the district of South Malabar.

(b) All documents in the respective areas are copied by the process of photo-copying in force there.

(c) A statement [a] showing the financial results under both the systems of photo-copying since their introduction is appended. Information relating to each of the districts in which the cine-film method is in force is not available separately.

(d) Yes.

(e) The Inspector-General of Registration recommended the continuance of both the systems in the respective areas. He has expressed the opinion that the photo-stat method seems to be the preferable of the two.

(f) The Government have not reached any definite conclusion in the matter and await a report on the working of the two systems which the Inspector-General of Registration has been asked to send in September 1938.

Local Self-Government

Programme of bifurcation of district boards during the current year.

* 77 *Q*.—Mr. A. B. Shetty: Will the Hon. the Minister for Local Self-Government be pleased to state which of the district boards will be bifurcated this year?

A.—Attention is invited to the Press Communiqué, dated 15th January 1936, published at page 29 of Part I-A of the *Fort St. George Gazette*, dated 21st January 1936. Since then no case has been decided finally. When a final decision has been arrived at in the case of any board the orders will be published with the least possible delay.

Mr. A. B. Shetty:—" May I know what recommendations the Special Officer appointed for this purpose has made with regard to district boards where he has completed the investigation? "

The Hon. the Raja of Bobbili:—" Different recommendations were made in regard to different district boards."

Mr. V. M. Ramaswami Mudaliyar:—" May I ask whether the Hon. Minister entertains any hope of giving effect to the policy for which he has made himself responsible before the expiry of his term of office? "

The Hon. the Raja of Bobbili:—" Yes, Sir. I do."

Progress of the investigations by the special officer for the bifurcation of district boards.

* 78 *Q*.—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) with regard to how many district boards the investigation with a view to bifurcation has been completed by the special officer and with regard to how many the investigation is in progress;

(b) what the names of districts are in each of these categories, in the order in which they have been taken up for such investigation;

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[a] Printed as [illegible]

(c) when orders are likely to be passed and the bifurcation is to come into effect in the case of each of these districts;

(d) in the case of district boards for which elections are to come up this year, whether bifurcation will be given effect to prior to or after the general elections; and

(e) if it is given effect to after the general elections, in the case of which of the district boards such a procedure is to be adopted and what the special reasons therefor are?

A.—(*a*) & (*b*) According to the information now available with Government, investigation has been completed in respect of Chingleput, Nellore, Coimbatore and Malabar District Boards while that in respect of Salem, Ramnad and Madura District Boards has commenced.

(*c*) The Government cannot say when the orders will issue and from what date the bifurcation will be given effect to.

(*d*) The Government have not laid down any hard and fast rule in the matter.

(*e*) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"In answer to clause (*c*), it is said 'The Government cannot say when the orders will issue and from what date the bifurcation will be given effect to.' This answer has been given under date 29th July 1936. Almost a month has passed now. May I know whether the Government are not still in a position to say from what definite date the bifurcation will be given effect to?"

The Hon. the RAJA OF BOBBILI:—"I may state that so far the Government have not come to any decision on any single case."

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend whether he does not consider it advisable to postpone the bifurcation question till after the general elections for the provincial legislatures, so as not to complicate matters by these other elections also coming in?"

The Hon. the RAJA OF BOBBILI:—"I realize there will be some difficulty caused by the bifurcations. It has to be faced some time or other. However, I do not see any special grounds for departing from the policy adopted by this Government."

Mr. C. RAMALINGA REDDI:—"I am not requesting my Hon. Friend to change the policy, but only to postpone the bifurcation on the ground that the situation will be complicated. It will be to the convenience of all parties. Would he not like to allow the new Government to deal with the bifurcation files?"

The Hon. the RAJA OF BOBBILI:—"It is not merely a question of the new Government dealing with the files. It has been the policy of the Government. There has already been undue delay in effecting the bifurcation."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" In view (fact that there is very large public feeling about the abolition (taluk boards, will the Hon. Minister keep in abeyance the bifur(of district boards? "

The Hon. the RAJA OF BOBBILI:—" The question has been dered. I do not think there is a strong feeling, as my Friend wants us to believe, in regard to the abolition of boards."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Is the bi: tion to be given effect to before the elections to the district boa(the bifurcation will take effect after the elections? "

The Hon. the RAJA OF BOBBILI:—" Government have issued a communiqué on the subject to say that wherever finances fied, the district boards will be bifurcated before the end c current year."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Are the ernment aware that several district boards will be having the ge elections before the end of the current year? "

The Hon. the RAJA OF BOBBILI:—" I believe in one-third o district boards, there will be general elections."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" M know whether the Government is aware that there is a feeling in fa of bifurcation in some districts and whether the bifurcation wi carried out there? "

Mr. C. RAMALINGA REDDI:—" May I ask my hon. Friend whe in view of some respite he has given the district boards from bifurc for the last so many months, there is any special urgency in not poning bifurcation until after the general elections are over? "

The Hon. the RAJA OF BOBBILI:—" I am not quite sure whether hon. Friend means the elections to the district boards or to Legislative Council."

Mr. C. RAMALINGA REDDI:—" Legislative Council elections."

The Hon. the RAJA OF BOBBILI:—" I understood my hon. Fr: to mean the general elections to the district boards. I am af the matter cannot be postponed. I do not see any conne: between the general elections to the provincial legislatures those to the district boards."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not advisable to orders on bifurcation before the general elections to the district boa so that there may not be any further complications on the part of Government or so that they may not be saying that because a partic party has got a majority, the bifurcation has been or has not b enforced? To avoid all those things, is it not advisable to bifurc all the district boards in advance without waiting for the gene elections, unless the Government are prepared to extend the terms the various district boards? "

* The Hon. the PRESIDENT:—" Has he finished? " (Laughter.)

The Hon. the RAJA OF BOBBILI:—" I quite realize the point. If it is possible, it will be done. As far as possible, we will see that the normal course of elections as laid down in the Local Boards Act is not interfered with. Sometimes it happens that owing to the length of time taken in the investigation, it is not possible to pass orders for all the district boards before the elections."

Mr. K. KOTI REDDI:—" May I ask the Hon. the Chief Minister whether instructions cannot be issued to the special officer that such boards in which there will be general election shortly should be taken up for consideration of bifurcation first in order that he may have an opportunity for bifurcating them before the next general elections? " 11-15 a.m.

The Hon. the RAJA OF BOBBILI:—" We have issued a general order. Government do not, for various reasons, desire to indicate any order of preference."

Rao Bahadur Sir A. P. PATRO:—" May I ask whether it is not expedient to postpone bifurcation in the case of certain district boards until after the general elections? "

The Hon. the RAJA OF BOBBILI:—" Normally it will not be open to Government to extend the terms of district boards beyond the period fixed in the Act. I have not yet had time to study the files, but I understand that there are certain difficulties in the case of a certain district board."

Proposal for the bifurcation of the Salem District Board.

* 79 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether orders for the investigation in the matter of bifurcation of Salem District Board have been passed, and if so, whether a copy of it will be placed on the table;

(*b*) whether the investigation has been completed and report made to the Government;

(*c*) if so, whether a copy of the report of the special officer, and the remarks of the Inspector of Local Boards thereon will be placed on the table;

(*d*) whether the Collector of the district has been consulted in the matter, and if so, whether a copy of his remarks will be placed on the table;

(*e*) when is the bifurcation to be brought into effect in this district board, and when the general elections are to be conducted; and

(*f*) whether the president of the said district board has made any suggestions in the matter of bifurcation and, if so, what they are and whether a copy of his correspondence in the matter will be placed on the table?

A.—(*a*) No such orders have issued.

(*b*) The investigation has not been completed.

(c) Does not arise.

(d) The Government consider that in the public interest it is not desirable to furnish the information.

(e) It is not possible to say whether or when the bifurcation will be brought into effect. The elections will he held as soon as possible after the electoral rolls are finally published.

(f) No.

Mr. K. A. NACHIYAPPA GOUNDER:—" In answer to clause (a) the Government say that no such orders have issued. May I ask the Hon. Minister how then this question of investigation has been taken up? "

The Hon. the RAJA OF BOBBILI:—" The question asked is whether orders for the investigation in the matter of bifurcation of Salem District Board have been passed. Probably it was understood as meaning whether orders for bifurcation have been passed. No special orders have been passed with reference to individual districts, excepting a press communiqué."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask whether at this stage it is not possible to say when bifurcation is likely to be effected? "

The Hon. the RAJA OF BOBBILI:—" Until the investigation is over, it will not be possible for me to indicate any date by which bifurcation would be completed."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Will the Hon. Minister please see that those district boards which are going to have elections this year and are contemplated for bifurcation, are taken on hand early? "

The Hon. the RAJA OF BOBBILI:—" Yes, Sir. I shall consider the suggestion."

Notice of bifurcation of the Salem District Board.

* 80 *Q*.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that notice has been given to the Salem District Board regarding the hifurcation of that board;

(b) if so, whether a copy of the notice will be placed on the table;

(c) what reply has been received from the district board, and whether a copy of it will be placed on the table; and

(d) when final orders are likely to be passed giving effect to the bifurcation, and from which date the new boards are to function?

A.—(a) Yes.

(b) A copy* of Memorandum No. 21503-A-2/36-1, L.S.G., dated 2nd July 1936, is placed on the table.

(c) The receipt of the reply is awaited.

(d) It is not possible to say at this stage when final orders will issue.

* Printed as Appendix III on page 300 infra.

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Mr. K. A. Nachiyappa Gounder :—" May I ask whether the bifurcation of this district board will be completed and brought into effect before the general election? "

The Hon. the Raja of Bobbili :—" I really cannot give a definite answer to that question. I have not studied the question and it will not be possible for me to definitely say anything now."

Proposals for the bifurcation of the Kistna District Board.

* 81 *Q.*—Rai Sahib C. Kolanda Reddi: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the Kistna District Board will be bifurcated or not;

(*b*) if not, why not;

(*c*) if it will be, when; and

(*d*) when there will be election for the Kistna District Board?

A.—(*a*) & (*b*) The Kistna District Board will be bifurcated, if investigation shows that its bifurcation is financially justifiable.

(*c*) It is not possible to say when final orders will issue.

(*d*) The election will be held as soon as possible after the electoral roll which is under preparation is finally published.

Proposals to postpone elections to district boards.

* 82 *Q.*—Mr. A. B. Shetty: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether there is any proposal to postpone any of the district board elections which are due this year; and

(*b*) if so, for what reasons?

A.—(*a*) No.

(*b*) Does not arise.

Memorial from the Malabar Viswa Karman Association for preferential treatment in respect of appointment under local bodies.

* 83 *Q.*—Rao Sahib Pandit Ganala Ramamurti: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the Malabar Viswa Karman (Kammalan) Association submitted a memorial to Government on or about 1st February 1935 asking for preferential treatment in respect of appointments in local bodies; and

(*b*) if so, what the orders passed on this memorial are?

A.—The memorial referred to was not received by Government.

Forests

Withdrawal of forest concessions in South Kanara.

* 84 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state—

(*a*) whether final orders have been passed by the Government on the forest grievances of the people of South Kanara; if so, whether the Hon. Member will be pleased to place a copy of the same on the table of the House; and

(*b*) in what respects the previous order withdrawing the concessions has been modified in the final order and what the concessions restored to the people are?

A.—(*a*) Yes. A copy of G.O. No. 963, Development, dated 15th June 1936, has been placed on the table of the House separately.

(*b*) Attention of the hon. Member is invited to the above Government Order which makes clear the concessions withdrawn and those which have now been restored.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know, Sir, why it has not been found possible to restore the concessions in the matter of green leaves, as these green leaves are the most important of the concessions on account of their value as manure for the ryots? "

The Hon. Mr. C. F. BRACKENBURY:—" The matter was very fully considered by my predecessor and two of the four concessions withdrawn were restored two months ago. It is too early now to re-open the question. It must be some months before the question of restoring any of the other concessions could be considered."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask whether the Government have under consideration the question of extending these concessions to the ryots in other parts of the Presidency also? "

The Hon. Mr. C. F. BRACKENBURY:—" It is not under consideration to extend the concessions to any other part of the Presidency."

Mr. U. C. SUBRAHMANYA BHATT:—" May I ask whether the Hon. Member will restore the concession in the matter of green leaves? "

The Hon. Mr. C. F. BRACKENBURY:—" I have already said that final orders on that request were passed only two months ago and that it would be premature to re-open the question now. After some months if we find that these concessions are not abused, it would no doubt be reasonable to consider whether any further concessions might be granted."

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Memorial from certain villagers of South Kanara for the redress of certain forest grievances.

* 85 *Q.*—Mr. A. B. Shetty: Will the Hon. the Home Member be pleased to state—

(*a*) whether a copy of the memorial submitted to the Conservator of Forests this month by the villagers of Yedthare, Baindur, Shirur and Paduvari villages of Coondapoor taluk has been received by the Government; and

(*b*) whether any action has been taken in this matter to remedy the grievances of the people?

A.—(*a*) Yes.

(*b*) No; the Government are awaiting the receipt of the original from the Chief Conservator of Forests with his remarks.

Proposals for the reduction of the charges for supervision in the Forest department.

* 86 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Home Member be pleased to state—

(*a*) whether there are any proposals to reduce some expenditure incurred on supervision in the Forest department; and

(*b*) if so, what they are and when they are likely to be brought into effect?

A.—(*a*) No.

(*b*) Does not arise.

Representations for throwing open the Pallipatti Extension Reserve in Salem district.

* 87 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Home Member be pleased to state—

(*a*) at what stage the representations for throwing open the Pallipatti Extension Reserve in the Harur taluk of Salem district are;

(*b*) how long the matter has been pending and when orders are likely to be passed; and

(*c*) if orders are already passed in the matter, whether a copy of it will be placed on the table?

A.—(*a*) The matter is still under consideration.

(*b*) It has been pending since November 1934. Orders will be issued on receipt of the report called for from the Chief Conservator of Forests.

(*c*) The question does not arise.

Representations for the admission of goats into the reserve forests in Salem district.

* 88 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Home Member be pleased to state—

(*a*) whether any representations have been received from Salem district on the subject of admission of goats into the reserve forests; and

(*b*) if so, from whom and in what way they have been disposed of?

A.—(*a*) Yes.

(*b*) Representations were received from a deputation consisting of M.R.Ry. K. A. Nachiyappa Gounder Avargal, M.L.C., M.R.Ry. K. Venkata Rao, Landholder and Journalist, Bommidi, M.R.Ry. Andi Goundan, Ryot, Kombur, and M.R.Ry. Vellaya Goundan, Ryot, Elanthakuttapatti of Harur taluk.

The Government have decided that it is out of the question to allow goat-browsing in reserved forests, as goats eat not only grass but tender shoots and plants, and the eventual result of goat-browsing would be the destruction of all forest growth.

It is against all principles of protection and preservation of forests to allow them into the forests.

Mr. K. A. Nachiyappa Gounder:—" May I ask the Hon. the Home Member whether he will be pleased to consider the question of allowing goat-browsing at least in such areas where there is no appreciable tree-growth?"

The Hon. Mr. C. F. Brackenbury:—" I am not prepared to allow it in reserved forests."

Mr. K. A. Nachiyappa Gounder:—" At least in panchayat forests where there is no good tree-growth, will he arrange to allow this concession?"

The Hon. Mr. C. F. Brackenbury:—" It is not within my province to do anything with regard to panchayat forests. I suggest that my hon. Friend puts the question to the Hon. the Revenue Member." (Laughter.)

Mr. C. Ramalinga Reddi:—" On a point of order, Sir, may I know whether it is open to a Member of Government to simply point his finger to another Member of Government and not give a reply to the question put?"

The Hon. Mr. C. F. Brackenbury:—" I regret that I have no information with regard to panchayat forests."

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Commerce

Import of foreign rice into the province since January 1936.

* 89 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the ember for Finance be pleased to state—

(*a*) what the quantity is of broken rice, whole rice and paddy ich separately) imported into this province from foreign countries each fortnight since January 1936;

(*b*) at what rate duty is levied on such imports and what the come derived by such a levy in each of the fortnights is; and

(*c*) what further steps are being taken to check such imports?

A.—(*a*) A statement [a] is attached.

(*b*) A protective duty of 12 annas per maund is levied on broken rice. The Government have no figures of the income derived.

(*c*) The hon. Member is referred to Sir Girja Shankar Bajpai's speech on the resolution regarding import duty on unbroken rice and paddy at the meeting of the Legislative Assembly on 16th April 1936. The Local Government are watching the situation.

Mr. C. Basudev:—"In view of the fact that the consumers of oken rice are mainly the working classes whose wages are by no means equate and the duty imposed is causing hardship to them, will the vernment be pleased to consider the desirability of affording relief to ese poor people?"

The Hon. Sir Geoffrey Bracken:—"The Government are aware that the working classes do eat broken rice; but the prices of food-stuffs generally in this province are so low that no special measures are necessary at present."

Import of rice from Siam and Indo-China.

* 90 *Q.*—Mr. A. B. Shetty: Will the Hon. the Member for nance be pleased to state whether the imports of Siam and Indo-China e to this presidency have increased or decreased this year as compared th the last two years?

A.—The imports have fallen considerably.

Mr. A. B. Shetty:—"May I ask the Hon. Member to give me ures?"

The Hon. Sir Geoffrey Bracken:—"I have not got the figures here. They have fallen considerably."

[a] Printed as Appendix IV on page 301 infra.

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Reforms

Investigation of the financial position of the Province with reference to the impending constitutional reforms.

* 91 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(*a*) whether any steps have been taken to investigate into the receipts and expenditure of this Province so as to regulate the financial position of the new Government as promised by him at the time of the budget session in February last;

(*b*) if so, what they are and when the investigation is likely to be completed; and

(*c*) on what lines the investigation is proceeding or is expected to proceed?

A.—(*a*), (*b*) & (*c*) Towards the end of April 1936, each department of the Secretariat was asked to examine, in consultation with the heads of departments under it—

(1) the existing objects and methods of taxation and the assessment and collection of the various items of non-tax revenue; of the adequacy of fees now levied for services rendered, and of the possibility of raising additional revenue; and

(2) the present expenditure on the various services not only from the point of view of securing small savings but also with a view to exploring the possibility of changing existing methods of administration so as to secure economies.

The question was discussed with heads of departments at the Collectors' Conference held at Ootacamund towards the end of May 1936, and as a result of the discussion further instructions were issued to the Departments of the Secretariat. Proposals are being received and considered by the Government in the administrative departments of the Secretariat in consultation with the Finance Department. It is not possible to say at this stage when the investigation will be completed.

Progress of the scheme for the construction of buildings for the Provincial Legislative Assembly.

* 92 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(*a*) at what stage the construction of the new buildings for the Provincial Assembly is;

(*b*) whether the architect for the same has been appointed and, if so, who the person appointed is and what his qualifications and past experience are;

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(*c*) what the site finally fixed for the said buildings is; and

(*d*) what the estimated cost is of the buildings and when they are expected to be finished?

A.—(*a*) The Government of India have agreed to place at the disposal of the Madras Government the Napier Battery site for the construction of the new Parliament House on condition that this Government meets the cost of constructing new quarters for the followers at present housed on the site and also provides free of charge a site for the construction of the quarters which will be acceptable to the military authorities. The site to be offered is under consideration. In the meantime trial pits are being dug in the Napier Battery site to test the sub-soil. The preparation of the plans and estimates has not been begun yet.

(*b*) No.

(*c*) The Napier Battery site referred to above is the most probable site but as indicated in the answer to clause (*a*) above, the matter has not been finally settled yet.

(*d*) Until the necessary plans and estimates are ready, it is not possible to say what the cost of the building will be or when the building will be completed.

Mr. ABDUL HAMEED KHAN:—" The Government say, in answer to clause (*b*) of the question that they have not yet appointed the architect. May I know whether they have advertised this post outside India? "

The Hon. Sir GEOFFREY BRACKEN:—" Yes, Sir; we advertised in India and in England."

Mr. ABDUL HAMEED KHAN:—" Are the Government aware that there are people in this country and in this province who will satisfy all the requirements both in the matter of technical qualifications and in the matter of experience and may I ask whether they do not consider it desirable to prefer local talents to outsiders? "

The Hon. Sir GEOFFREY BRACKEN:—" It was open to anyone to apply and all applications are considered on their merits."

Mr. C. RAMALINGA REDDI:—" May I request the Hon. Member to appoint a committee of this House to make the selection? "

The Hon. Sir GEOFFREY BRACKEN:—" The officer has already been selected, Sir."

Mr. ABDUL HAMEED KHAN:—" Do I understand, Sir, that the officer has already been selected? "

The Hon. Sir GEOFFREY BRACKEN:—" Yes, Sir. "

Mr. ABDUL HAMEED KHAN and Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Who is he? "

The Hon. Sir GEOFFREY BRACKEN:—" Formal orders have not yet issued. They will be issuing shortly."

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Wireless Installations

Establishment of broadcasting stations in the Province.

* 93 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Member for Finan be pleased to state—

(*a*) what proposals have been made by Mr. Kirke for the develo ment of broadcasting in this Presidency;

(*b*) whether it is proposed to establish a station in each langua; area;

(*c*) whether any centre has been fixed for the West Coast; and

(*d*) whether the Government have so far taken any steps to car out the proposals made to them?

A.—(*a*), (*b*), (*c*) & (*d*) Broadcasting is a central subject. The pr posals of Mr. Kirke are under the consideration of th Government of India. Some preliminary corresponden has taken place between this Government and the Goverr ment of India in the matter and the Government are nc in a position at present to make any statement as regard details.

Mr. A. B. SHETTY:—" May I know from the Hon. the Financ Member whether Mr. Kirkee has proposed that a broadcasting statio should be established in each language area? "

The Hon. Sir GEOFFREY BRACKEN:—" I am not at liberty to sa anything on Mr. Kirkee's proposals. Broadcasting is a centra subject."

Court of Wards

Reasons for the assumption of control of the Vizianagram Zamindari by the Court of Wards.

* 94 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. th Member for Revenue be pleased to state—

(*a*) whether the Zamindari of Vizianagram is under the manage ment of the Court of Wards;

(*b*) when the management of the zamindari was taken over by the Court of Wards and why the management was taken over;

(*c*) whether it is a fact that the management was taken over by the Court of Wards, because the zamindari was indebted;

(*d*) if so, what the debt due from the estate was at the time the management was taken over and what the debt now is;

(*e*) what the gross income of the estate was then and what it is now;

(*f*) whether the Court of Wards has taken over management of all estates with debts of the same amount or more and with the same income or less; if not, why have their management not been taken over; and

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(*g*) whether the Government will be pleased to place on the table a list of all the impartible estates with lesser incomes and more debts due from the estate than the Vizianagram Estate, whose management has not been taken over by the Court of Wards showing their respective incomes and debts due?

A.—(*a*) Yes.

(*b*) On 25th October 1935. The management of the estate was taken over as the Government were satisfied that the Raja was incapable of managing his property and that it was expedient in the public interests that his property should be managed by the Court of Wards.

(*c*) No. There is no provision in the Court of Wards Act enabling the Government *suo motu* to order assumption by the Court of Wards of the management of an estate on the ground that it is in debt.

(*d*) *to* (*g*) Do not arise.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know the nature of the facts on which the zamindar was considered incapable of managing his property? "

The Hon. Sir CHARLES SOUTER:—" I should prefer not to publish those facts."

Mr. C. RAMALINGA REDDI:—" My Hon. Friend refuses to publish the facts. Will he issue some kind of communiquè so that the people may be satisfied that the judgment in this case has not been arbitrary, but was based on facts or at least on grounds? "

The Hon. Sir CHARLES SOUTER:—" If the hon. Member likes to come to my room personally, I will show him the papers and he would, I am sure, be satisfied."

Mr. C. RAMALINGA REDDI:—" Would my Hon. Friend give me the right to publish what I see? " (Laughter.)

The Hon. Sir CHARLES SOUTER:—" This is a matter concerning one individual and it seems to me it is unnecessary to publish the facts."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know if the Hon. Member is aware of the allegation that the estate has been taken over because of the political inclinations of the estateholder? "

The Hon. Sir CHARLES SOUTER:—" That, Sir, is certainly not true."

Land Revenue Administration

Progress of the proposal for the deletion of section 48 of the Revenue Recovery Act.

* 95 *Q*.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state with reference to his assurance given to the House in reply to the debate during the last session of the Council on the adjournment motion regarding the arrest and imprisonment of Mr. Ukkaran Nambiyar for non-payment of assessment that

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he would have the question of the deletion of section 48 of the Revenue Recovery Act examined and his subsequent answer to a question from me, that the matter is under examination whether the considered opinion of the Board of Revenue has been received by the Government; if so, whether the Government will be pleased to place the same on the table of the House and state (i) whether the Government have taken any action on the same; and (ii) whether the Government have taken any steps to have section 48 deleted and, if so, what steps?

A.—The Government have received the views of the Board of Revenue and they have decided that it is not necessary either to repeal or amend the section. They do not consider it necessary to place the report of the Board on the Council table.

Mr. U. C. SUBRAHMANYA BHATT:—" May I ask the Hon. Member whether the Government think of putting to use this obsolete section 48 of the Revenue Recovery Act? "

The Hon. Sir CHARLES SOUTER:—" The Government, as a Government, does not do so. It is within the power of the local officers to do so when they find it necessary."

Alleged illegal collection of process-fees in South Kanara.

* 96 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether any process-fees had been collected by the Revenue authorities for serving demand notices and distraint warrants in South Kanara district between February 1935 and June 1936; if so, what the amount is that was collected in each taluk;

(*b*) whether there was any of the processes served by process-servers; if not, by whom was it served;

(*c*) whether there was a protest against the illegal collection of these process-fees from the district and whether it is a fact that further collection of process-fees was stopped; if so, when;

(*d*) whether the Government or Revenue authorities of the district have refunded the process-fees which they had already collected; if not, why not; and

(*e*) what action the Government have taken or propose to take in the matter?

A.—(*a*) & (*b*) The attention of the hon. Member is invited to the answer given to question No. 235 at the meeting of the Council on 29th October 1935. The Government have no further information.

(*c*) Questions were put on the subject by the hon. Member and also by another hon. Member representing the district. The Government have received no other representations. The Collector issued orders in August 1935, to the effect that process-fees should not be levied in cases in which the process-server did not himself serve the process.

(*d*) & (*e*) The Government do not consider that there is any case for the refund of the fees collected. The whole question of the levy of process-fees under Act II of 1864 is under examination.

Operation of the efficiency bar at Rs. 50 in the case of 'unpassed men' in the Revenue Department.

* 97 *Q.*—Mr. A. M. Ahmed Meeran: Will the Hon. the Member for Revenue be pleased to state whether unpassed candidates acting as Inspectors in the Settlement parties can rise above Rs. 50 in the scale of Rs. 35—60 without the special sanction of the Government to cross the efficiency bar while other unpassed men in the Revenue Department cannot do so?

A.—The posts of 'Inspectors' in the Revenue Settlement parties were exempt from the general educational qualification under the Public Service notification. The posts were included in the category of 'clerks' in the Madras Ministerial Service with effect from 12th April 1933. The Government have ordered that the Inspectors who were appointed prior to 12th April 1933 can continue to draw pay in the time-scale and that the sanction of the Government is not necessary to permit them to cross the efficiency bar. Other unpassed men in the Revenue Department cannot cross the efficiency bar unless they had been declared eligible to do so before the issue of the Madras Ministerial Service Rules, the reason being that the minimum general educational qualification was necessary for appointments in the Revenue Department under the old Public Service notification.

Unpassed men holding temporary service in the Revenue Settlement Parties.

* 98 *Q.*—Mr. A. B. Shetty: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what number of temporary unpassed men are now serving in the Revenue Settlement Parties;

(*b*) how many of them will be thrown out of service after the end of this year; and

(*c*) whether any Government Order has been recently passed to the effect that they must obtain the minimum general educational qualification, if they want admission to full membership in the Madras Ministerial Service?

A.—(*a*) & (*b*) The Government have no information.

(*c*) Yes; but the Government Order merely explains the provisions contained in the statutory rules relating to the service.

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Mr. A. B. Shetty:—" May 1 ask the Hon. Revenue Member whether the temporary unpassed men have made any representation to Government? "

The Hon. Sir Charles Souter:—" I cannot recollect any, Sir, at the moment."

Payment of gratuity to hands retrenched in Settlement Parties.

* 99 *Q.*—Mr. A. B. Shetty: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether the retrenched permanent men in the Settlement Party have been given gratuity; and

(*b*) whether the temporary men who have put in long service will be given any gratuity or compensation when they are thrown out of service?

A.—(*a*) Yes.

(*b*) If a temporary clerk who has put in a continuous service of not less than twenty years is discharged under the Madras Compulsory Retirement Rules, he is eligible to a gratuity. The cases of men who are discharged otherwise than under the Madras Compulsory Retirement Rules, 1931, are dealt with under clause (*b*) of Article 381 of the Civil Service Regulations.

Progress of the resettlement operations in the northern taluks of Salem district.

* 100 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) at what stage the resettlement operations in the northern taluks of Salem district now are;

(*b*) when final orders are likely to be passed in the matter; and

(*c*) what the recommendations are of the settlement officer of this area if his report has been received?

A.—(*a*) The scheme report is under preparation.

(*b*) The resettlement is due during the current fasli. The orders of the Government in the matter will be passed after the scheme report has been prepared and published, and the views of the Board of Revenue and the people of the district on the scheme report have been ascertained and considered.

(*c*) The question does not arise.

Objections to the scheme report relating to the hill villages in Salem district.

* 101 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Iember for Revenue be pleased to state—

(*a*) at what stage the resettlement of the hill villages in Salem istrict now is;

(b) how many representations and objections have been received on the scheme report published some time ago, and in what way they have been disposed of; and

(c) whether final orders have been passed in the matter and, if so, whether a copy of it will be placed on the table?

A.—(a) The proposals are under the consideration of the Government.

(b) One representation has been received.

(c) The orders of the Government will be issued shortly. A copy of the order will be placed on the table of the Legislative Council.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Member to tell me whether it is the intention of Government to levy any enhanced rate now or whether they propose to postpone this to the new Government? "

The Hon. Sir CHARLES SOUTER:—" I have already stated that the policy of the Government in this matter is that from a certain date these re-settlements will not take effect in this way that if an increased rate is imposed it will not be levied."

Reservation of lands for assignment to the members of the depressed classes.

* 102 Q.—Mr. M. S. SRESHTA: Will the Hon. the Member for Revenue be pleased to state—

(a) what extents of land have been reserved for the depressed classes in—

(1) Malabar district,
(2) South Kanara district,
(3) Coimbatore district,
(4) Salem district, and
(5) the Nilgiri district;

(b) since when have they been so reserved;

(c) what extents out of them in each district have been improved or built upon by the grantees; and

(d) whether any portions out of them have been granted to members of the depressed classes who or whose ancestors have been converted to Christianity?

	ACRES.
A.—(a) (1) Malabar district	4,679·46
(2) South Kanara district	38,849·81
(3) Coimbatore district	14,444·05
(4) Salem district	22,510·03
(5) The Nilgiris	444·44

(b) The extents given above represent the total extents which have been reserved for assignment to members of the depressed classes from time to time and these figures vary year after year. It is not therefore possible to state the year from which these extents have been reserved.

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(c) A rough estimate of the area found under cultivation during 1935 is given below:—

	ACRES.
(1) Malabar district	49·20
(2) South Kanara district	1,065·96
(3) Coimbatore district	9,103·75
(4) Salem district	7,915·05
(5) The Nilgiris	115·80

(d) The Government have no information.

Mr. M. S. SRESHTA:—"Will the Government please furnish the information asked for in clause (d) of this question?"

The Hon. Sir CHARLES SOUTER:—"What the hon. Member is asking me to do will be really too much."

Mr. G. R. PREMAYYA:—"I find from the answer that large areas of land have been granted to the depressed classes, but very little land has been cultivated by the depressed classes. I want to know whether this is due to the fact that the depressed classes are unable to cultivate the lands or whether the lands are unfit for cultivation?"

The Hon. Sir CHARLES SOUTER:—"If the hon. Member will read the printed answer he will find the number of acres under cultivation."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I see from the answer that only the depressed classes in the Tamil areas have been granted these lands. May I know why those in the Telugu districts have not been given lands on similar terms?"

The Hon. Sir CHARLES SOUTER:—"If the hon. Member had only read the question, I do not think he would have put that supplementary question."

Administration of Justice

Alleged seizure by the District Judge and the District Collector of certain papers in the Sub-Court, Mangalore, relating to a suit decided against Mr. Gawne.

* 103 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state with reference to his promise made in the Legislative Council in answer to the cut motion on the Administration of Justice in this House on 19th March 1936, that all he can promise is that he will forward the proceedings to the High Court with special reference to the alleged incident of the Sub-Court at Mangalore on 9th December 1935, when the District Judge and the District Collector went to the Sub-Court and seized certain papers of the suit decided against Mr. Gawne by the Sub-Judge—

(a) whether he has sent the proceedings to the High Court as promised;

(b) whether the High Court has taken any action on the same or held any enquiry; if so, with what result;

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(c) whether the Government would state the full facts of the case, and specially as to whether the High Court Judge who ordered the search and seizure was informed of the true state of affairs calling for the said action by the party complaining and whether he was informed that the complainant was a party to the suit and whether the order for search was sent to the District Judge through the Collector and not directly; and

(d) whether the Sub-Judge has since been transferred; if so, whether it was at the instance of the High Court or the Government and why he was transferred; if it was at the instance of the Government, whether any report was called for from the High Court before *transfer?*

A.—(a) Yes.

(b) The Government have no information.

(c) The Government have no information of what facts were placed before the High Court.

(d) The sub-judge has been transferred on public grounds.

Progress of the proposals for the increase of batta to jurors and assessors.

* 104 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Law Member be pleased to state—

(a) at what stage the consideration for the increase of the batta for jurors and assessors is and when it is likely to be brought into effect; and

(b) if any decision has been reached, whether a copy of the order passed in the matter will be placed on the table?

A.—(a) The matter is still under the consideration of the Government.

(b) Does not arise.

Mr. K. A. Nachiyappa Gounder:—" May I know how long this matter has been under consideration? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" The Government have now made certain tentative proposals and the High Court have been addressed for their opinion on them."

Mr. K. A. Nachiyappa Gounder:—" May I know the nature of these tentative proposals? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" They are too tentative to be made public."

Mr. M. A. Manikkavelu Nayakar:—" May I know whether the consideration is taking a favourable turn? " 11-30 a.m.

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Increments to 'unpassed' permanent clerks in the Judicial Department.

* 105 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Law Membe be pleased to state—

(a) whether the question of granting increments to unpasse(permanent clerks in the Judicial Department has been taken up fo. consideration as promised by the Hon. the Law Member in the budge discussions early this year; and

(b) what, if any, are the steps taken to do justice to them and with what effect?

A.—The attention of the hon. Member is invited to the answer giver to question No. 1056 on 27th March 1936.

Mr. G. RAMESWARA RAO:—" Sir, I read the answer given to question No. 1056 on the 27th March 1936. In that I see that the High Court has given figures to the effect that 130 candidates have been selected for increment up to a certain scale while the claims of 180 candidates have been completely ignored. I just want to know whether any uniformity cannot be maintained in giving increments to these people and why the claims of 180 candidates have been ignored."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" There is no question of ignoring the claims of 180 men. It was thought by reason of the inadequate qualifications of these 180 people they were not entitled to any promotion."

Mr. G. RAMESWARA RAO:—" May I just draw the attention of the Hon. Member to the fact that the cases of many people have not been considered at all and whether any reports from the Judges were received? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" In the case of these exemptions, the policy of the Government is, if the head of the department or the office considers that any particular candidate deserves special consideration by reason of the quality of the work which he is turning out in his office, to consider those cases favourably."

Mr. G. RAMESWARA RAO:—" May I know whether the District Judges were informed that such a recommendation from them is allowable? Probably they may be under the impression that they have no authority to make such recommendations."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" There have been one or two cases where recommendations have been received and they have been considered on their merits."

Proposals for the receipt of copy applications from and despatch of copies to parties by post in the Judicial Department.

* 106 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Law Member be pleased to state—

(a) whether copies applied for are sent by post to the applicants in the Judicial Department;

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(*b*) whether they are so sent in other departments such as Revenue, Registration, etc.; and

(*c*) whether it is contemplated to receive copy applications from, and send copies to, applicants by post in the Judicial Department also?

A.—(*a*) & (*c*) The form of application for copies (Form 51, page 240 of the Civil Rules of Practice and Circular Orders Volume II) provides for a request that copies be sent by registered post. Presumably such requests when made are complied with.

Rule 127 (1) of the Civil Rules of Practice and Circular Orders, Volume I (1930 reprint), provides that copy applications must be presented in person and Note II to rule 128 specifies who may present them. The Government do not contemplate any change in this rule.

(*b*) In the Revenue and Registration Departments copies are delivered to parties in person if they appear or if they so desire they are sent to them by post at their cost.

Mr. G. RAMESWARA RAO:—"May I know whether other Provincial Governments are in the habit of allowing applications for copies to be sent in by post and if so, may I know why this Government is not following that example?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The answer says 'Rule 127 (1) of the Civil Rules of Practice and Circular Orders, Volume I (1930 reprint), provides that copy applications must be presented in person.' The present rules of practice are also that copy applications should be presented in person. Therefore the Government have no reason to think why that rule is unworkable or causes hardship to people."

Mr. G. RAMESWARA RAO:—"I am only suggesting that the cost of travelling to court-houses incurred by parties will be saved if this procedure is adopted?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Experience shows that it may not always be advisable to allow petitions to be sent by post."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"If only the change that is proposed is made, it will be a source of further revenue to the Government?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Copy applications are not a source of revenue to Government because for every copy that we issue a copyist is to be paid."

Alleged insufficiency of accommodation for the Bar attached to the Salem District Munsif's Court and the Sankari District Munsif's Court.

* 107 *Q.*—*Mr.* K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the bar room attached to the Salem District Munsif's Court and the Sankari District Munsif's Court at

Salem situated in one and the same compound, is leaky and in a dangerous condition, and that besides, accommodation is insufficient;

(*b*) whether representations have been received from the local Bar Association for remedying the defects and difficulties either by the Government or by the Law Officers; and

(*c*) if so, when and how they have been disposed of?

A.—(*a*) The Government have no information.

(*b*) & (*c*) The Government have not received any representation. They have no information as to the representations received by the Law officers.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I ask the Hon. Member whether he will be pleased to call for the information?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I do not think there is any necessity for calling for the information, because, if I remember right, proposals for new buildings are now pending consideration."

Provision of accommodation for parties and witnesses attending the Civil Courts at Salem.

* 108 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) what steps have been or are being taken to provide suitable accommodation in the court compound for the parties and witnesses resorting to the various civil courts in Salem town; and

(*b*) if any steps are being taken when they are likely to be accomplished and what the estimated cost is for such constructions?

A.—The attention of the hon. Member is invited to the answer given to question No. 739 on 25th February 1936. The Government have since approved a proposal for the construction of a waiting shed for the accommodation of parties in the District Munsif's Court, Sankari, at Salem. The High Court has also been informed that it may itself sanction the proposal, as a minor work, if the estimate does not exceed Rs. 5,000. The High Court has stated that plans and an estimate amounting to Rs. 1,690 have been prepared for the work and that as it is now too late to provide funds for the work in the current year, the question of provision of funds will be considered in connexion with the Budget Estimate for 1937–38.

Agriculture.

'Mahali' pest in South Kanara.

* 108-*A* *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government have received any report regarding the prevalence of the 'mahali' disease in South Kanara and the damage done by it to areca gardens;

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(*b*) what areas have been affected by this pest and what loss has been caused by it every year since it made its appearance;

(*c*) what measures have been taken to combat this pest and with what success; and

(*d*) whether this pest is spreading in the district and, if so, which new areas have been affected this year?

A.—(*a*) A copy [a] of the latest report received from the Deputy Director of Agriculture, VII Circle, Tellicherry, on the pest is appended.

(*b*) The disease has been prevalent in Malabar and South Kanara for the past 20 years. The disease appears almost every year in the affected gardens. There is no information as to the loss caused every year. In some years the loss is not much but in some years the loss is heavy and the whole crop may be lost.

(*c*) The spraying of affected trees with bordeaux mixture (mixture of lime and copper sulphate) has been successfully demonstrated to the owners of the gardens and it has become almost a routine work with them to carry out these measures. The remedy is so widely known that the necessary chemicals and sprayers are stocked by the local merchants and co-operative societies. The department also lends these sprayers for a small hire. A leaflet on this subject has been published by the department. A copy of it is placed in the Council Library.

(*d*) No information is available.

Mr. A. B. Shetty:—"With reference to the answer contained in clause (*a*), may I know when the report from the Deputy Director of Agriculture was received?"

The Hon. Mr. P. T. Rajan:—"I am unable to tell the exact date on which it was received."

Mr. A. B. Shetty:—"With reference to the answer given in clause (*d*), may I know whether the Hon. Minister will be pleased to call for the information and take suitable measures to combat the disease?"

The Hon. Mr. P. T. Rajan:—"I shall be glad to do so."

Land Revenue Administration.

Remission due to 'Mahali' pest.

* 108-*B Q.*—Mr. A. B. Shetty: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether any representations have been made by people in South Kanara praying for remission of assessment on areca gardens which have been affected by mahali disease;

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[a] Printed as Appendix V on page 302 infra.

(b) whether Government have made any enquiry regarding the loss caused by this pest; and

(c) whether they have granted any remission?

A.—(a) No representations have been received by the Government.

(b) No.

(c) The Government have not sanctioned any remission.

Mr. A. B. SHETTY:—"With reference to the answer given in clause (b) that no enquiry has been made regarding the loss caused by this pest, may I take it that the Government are not at all aware of the spread of this disease and the loss that it has been causing?"

The Hon. Sir CHARLES SOUTER:—"So far as my portion of the question is concerned, I have received no report till now. However I may inform the House that I am to receive a deputation on the subject."

UNSTARRED QUESTION

Reforms

Proposals for the rearrangement of polling stations for elections to the Provincial Legislative Assembly.

109 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Member for Finance be pleased to state whether the Government propose to rearrange the polling stations for the Provincial Legislative Assembly elections at convenient distances and centres?

A.—The general principle aimed at is that no voter should have to go more than five miles to a polling station; but it may not be possible to adopt this standard in sparsely populated areas. There is no proposal for any wholesale revision of the lists of polling stations. Individual cases requiring consideration are being examined by Collectors.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—HOUSE COMMITTEE—ELECTION OF MEMBERS.

* The Hon. the PRESIDENT:—"I am to inform the House that the following six candidates were nominated for election to the House Committee:—

(1) Mr. M. A. Manikkavelu Nayakar.
(2) Mrs. K. Alamelumangathayaramma.
(3) Mr. K. A. Nachiyappa Gounder.
(4) Mr. T. S. Ramaswami Ayyar.
(5) Rao Sahib P. V. Rajagopal Pillai.
(6) Mr. T. Sundara Rao Nayudu.

As the number of candidates nominated is equal to the number of vacancies to be filled, viz., six, I hereby declare them duly elected.

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" In addition to the above, I nominate, under S.O. No. 82, the ›llowing Members to be members of the said Committee:—

(1) Mr. G. Sriramulu.
(2) ,, G. F. F. Foulkes.

" The Deputy President is ex-officio Chairman of the Committee."

III.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1936–37—*cont.*

(6) GRANT XXIII—CO-OPERATIVE SOCIETIES—TRANSFERRED—*cont.*

* The Hon. the PRESIDENT:—" Yesterday, when the House rose, Ir. Premayya finished his speech and moved his amendment that the llotment of Rs. 100 be reduced by Re. 1. That motion is for the dis-ussion of the House."

The Hon. Mr. P. T. RAJAN:—" Some of the hon. Members indicated hat they liked to take part in the discussion."

* The Hon. the PRESIDENT:—" *Is Mr. Muniswami Pillai moving* is amendment separately or talking on this motion? "

Rao Sahib V. I. MUNISWAMI PILLAI:—" I am moving my motion s a separate amendment, Sir."

* The Hon. the PRESIDENT:—" There is only one more amendment, o discuss the necessity of organizing the society to find immediate aarkets for potatoes and fruits. Mr. Muniswami Pillai might move is amendment separately."

* Rao Sahib V. I. MUNISWAMI PILLAI:—" I beg to move—

' *that the allotment of Rs. 100 under Grant XXIII—Co-operative Societies—Transfererd—be reduced by Re. 1.*'

move this amendment to point out the necessity of organizing the ociety to find immediately markets for potatoes and fruits.

" Sir, I do admit that there is a necessity for the Hon. Minister for Development to bring into existence a Sales Society. I would like to oint out that there has been a large amount of agitation both in this Council and outside as to the sale of potatoes and an agency to find out market. This subject is one which has been brought before the House or several years. The Hon. Minister himself knows that there were everal deputations from the people of Nilgiris which waited on him and equested him to give facilities for the marketing of potatoes. This year lue to the importation of foreign potatoes into this and other Provinces, he prices of potatoes have gone so low that it is not possible to get even Rs. 4 for a bag of 200 lb. of potatoes. Unless the Government come to he rescue of these poor ryots, I feel that the condition of the hill tribes and others who are interested in the cultivation of potatoes will be uinous. This year I know the ryots were able to get commercial nanure to the tune of about 5 lakhs of rupees and it is doubtful whether they will be able to pay their manure bills. So I would like o point out to the Hon. Minister that immediate steps must be taken o market the potatoes. Government, some two years ago, brought in

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a marketing officer and I do not know what he is doing especially at a time like this when there is great demand for his services to market the potatoes. Sir, I find that the Registrar of Co-operative Societies has convened a conference of officials and non-officials to promulgate a scheme. I do not know whether any growers of fruits or other marketable produce, perishable produce such as potatoes and others were invited to attend that conference. I should like to know whether there had been any demand from the fruit-growers for a society of this sort. I know as a matter of fact that there is a very strong feeling among the growers of potatoes to get a market of the nature suggested in the explanatory note. Sir, during this year, I know that the potato-growers waited on a deputation on the Board Member for getting agricultural loan to tide over the difficulties brought about by the extensive potato cultivation. I know also as a matter of fact that some people waited on the Hon. Minister for Development to sanction the establishment of a land mortgage bank to relieve them from their indebtedness. All these points go to show that there is a real need for giving relief to the potato-growers. In his opening speech the Hon. Minister observed that he would have to find a market for fruits and other perishables. I would humbly request him to immediately include potatoes in his programme as well so that the plight of the ryots might be relieved to a certain extent."

-45 n. * Mr. J. A. DAVIS:—" Mr. President, Sir, there is a further aspect of this question so far as labour is concerned. The Hon. Minister will remember that there is such a thing as the tea restriction scheme which prevents the planters from extending their plantations. Many planters have had to abandon their estates on account of the glut in the tea market and accept non-production rights. This naturally affects labour. Similarly if the farmer cannot find a market for the potatoes he grows, the question is asked why he should extend the cultivation of this crop. Cultivation of potato thus becomes restricted and labour is thrown out of employment. The tea-planter dispenses with labour and we all know that just at the moment coffee is in a very bad way and most of the coffee estates have gone out of existence. The only means for the labourer to survive is the growing of potato and similar crops and finding suitable markets for them. If the Hon. Minister does not come to the rescue of the Nilgiri-growers great questions of labour will arise because labour will be starving for want of work. Therefore I strongly support the motion of my hon. Friend, Mr. Muniswami Pillai. This is a very critical time and the Hon. Minister should take very special steps to see that the marketing of the produce of the Nilgiris is facilitated. I repeat once more that this involves a big labour question. Some time back I appealed to him to start some land mortgage banks on the Nilgiris. He promised to do something but has not done anything so far. As very serious labour questions are involved in this matter I hope the Hon. Minister will be good enough to take special steps in this direction."

* Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Mr. President, Sir, I am sorry that the Hon. Minister thought that very few words

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were enough to commend this motion to the House. This is a new scheme intended to give effect to demands made by various parts of the Province for a very long time. How exactly the whole thing is going to be organized is a matter about which we ought to have been told much more by the Hon. Minister. Sir, I presume that the present proposals have arisen out of the communication sent by me on behalf of those interested in this matter for the organization of a new provincial marketing society. It will probably be within the recollection of the House that for the last seven or eight years I have been pressing the need for the formation of some organization of this sort. In March last, a conference of the loan and sale societies was convened by the Registrar. At that meeting there were two views expressed. One wanted a sort of central organization to co-ordinate the activities of the loan and sale societies in the Province and also find a market for surplus produce of the loan and sale societies. The other wanted an organization for the marketing of perishable articles like vegetables, fruits, eggs, honey, flowers and so on. It was thought that the agriculturist got such a poor return for his produce that he should be encouraged to take to some side occupation like the growing of vegetables and so on which will increase his income to some extent. It was with that view that it was proposed that there ought to be a second side to the central organization, namely, the opening of a number of sale depots in Madras and in the chief mufassal towns for the marketing of perishable goods. With these two objects it was proposed that a society should be formed. A committee of three members, Messrs. Ramdas Pantulu, Adinarayana Chettiyar and myself, was formed to take the necessary steps. We could not meet at once. I thought, however, that the matter was urgent and something should be done before the Government disposed of the grant they had with them. I addressed the Registrar on the subject. I stressed that in the beginning the society should devote its attention to the idea of finding a market for the perishable goods. In that also there were two aspects. One was an organization for the purpose of collecting the produce in the mufassal. Without an organization like that it will be impossible to gather the goods and bring them to the market. So I proposed that there should be at least one inspector in each district to organize this side. Wherever possible primary societies should be formed for the purpose of gathering the produce and sending them up. Otherwise even individual cultivators may be allowed to send their goods to the central society for sale. For that purpose propaganda and organization are necessary and a certain amount of district staff in each district will also be necessary. I am surprised to find that in the note circulated to us there is no reference to any provision for district staff. It is not even mentioned as to how this organization is going to be effected. (Interruption.) I am told that the loan and sale societies will work with reference to this. I submit that we have already made it clear that our proposals are of two sorts. One is the co-ordination of the activities of the loan and sale societies and the other is the gathering of these perishable articles and bringing them to the market. The loan and sale societies are not dealing in

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perishable articles; they are dealing only in cotton, groundnut and in some cases paddy and grains. One of the proposals made with regard to the Nilgiris is to have a society for the sale of potatoes. It will be impossible for a loan and sale society to deal with perishable articles like vegetables and fruits. If the articles are to be gathered by the societies it will take some time for them and by that time the perishable articles would have perished. Any organization that is brought into existence should be such as to be able to send to the market within 24 hours all the produce that has been gathered. Otherwise this organization would not work. I want to impress on the Hon. Minister that he will have to make some provision for this organization.

"Secondly, Sir, I find from the note that this society will in the first instance deal only with fruits. As I said already, our object is not only to deal with fruits but with other perishable produce also. Taking the case of fruits I suggest that this society will not have sufficient work if it is to deal with fruits alone. If we mention oranges and sapotas from East and West Godavari, oranges from Kurnool and Chittoor, mangoes from a few places and plantains from a few other places, we will have exhausted the list of our fruit-supply. This would not give sufficient work for an organization of this sort. The establishment that is sanctioned will be able to cope with three or four times the amount of work that fruits alone will give. It will be waste of money if we are going to confine our attention to fruits alone. Also, if the societies are to work in such a way that they can stand on their own legs ultimately, dealing with fruits alone will do no good whatever. So it is necessary that the scope of the societies should be increased from the start. The note refers only to what the Government think the societies will deal with, but the operations of the society will depend on the by-laws of the society and what they would undertake at any given moment. It will be for the society itself to decide what its activities will be when it is formed. I may inform the Hon. Minister that the application for the formation of the central society has already been sent to the Registrar and that application contains by-laws enabling the society to deal with all these matters. The application is pending the sanction of the Government to the scheme. Once the scheme is sanctioned, the society can be registered and allowed to undertake such activities as it can manage. It will be necessary for the Government to provide a larger scope for the operations of the society. It will be necessary also for the Government to arrange for the organization in the districts. It will also be necessary for the Government to be prepared for two more items of expenditure. It will not be enough if we have one or two sales depots in Madras. For instance there are places like Madura and Trichinopoly where there is a large trade in these things, especially potatoes. I am told that there are some months in the year when potatoes are cheap in Madras but dear in Madura and Trichinopoly. If the supply to Madura and Trichinopoly is regulated, that is to say, if the potatoes are gathered when they are grown and kept in the hills itself—for I am told by experts that it will be possible

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to keep these potatoes in the hills for three months without perishing, but that when they are sent down to the plains they perish in a week—we will be able to regulate the supply and help these people very substantially. Such being the case, we should not be satisfied with only one or two shops in Madras alone but we should think of opening more shops in big places like Madura and Trichinopoly. If this is going to be done, the cost of it should, for the first three or four years at least, be borne by the Government. The society will not be in a position for the first three or four years to bear the cost out of its own profits. Secondly, there are some items of expenditure which have been cut out from the original estimate made by us, I hope the Government will look into them and see that they are restored. No doubt there is some opinion outside that even at the outset the society should be able to meet its own cost, but it will not be possible in a new society like this, especially when its demands are of various and heavy character. After four or five years probably it will be in a position to stand on its own legs and then the Government may withdraw their help. Until then the Government will have to help the society. Any item that has been deleted from the original proposals that were made, I hope, will be considered again.

" I want to say one word about potatoes as some hon. Members have raised this question. The Coimbatore District Bank have invested a sum of Rs. 3 or Rs. 4 lakhs and are helping in increasing the potato cultivation. But nothing is done to give facilities for the ryots to gather their produce and to help them for finding out favourable markets. It will be necessary to provide three godowns—one at Ootacamund, another at Coonoor and a third at Kotagiri where potatoes may be brought as soon as they are harvested. If they are kept there, they can be issued as the markets require them. If we are going to have three or four sale depots in different parts of the province, we can gather them and go on issuing them for five or six months in the year, because there are two crops grown on the hills. It will be possible to keep them for about two or three months after each crop. That will mean that we will be able to give regular supply to the markets for about six months. In that case, the growers will get all the benefit.

" Mr. Premayya said that the credit societies take some commission. Under the scheme proposed people in the villages grow vegetables, gather them and send them direct to the society. Individuals themselves may send the goods to the society direct. There will be no middleman or middle society to which commission should be given.

" Secondly, this will not involve any question of financing the produce. There is no necessity to give any advance at all to the ryots. With reference to potatoes, the district bank is already advancing large sums of money. If they are brought to the warehouses which would be constructed by the Government, the bank will give an advance on these goods. So the question of finance by this Provincial Society will not arise in this case.

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"I beg to submit that the whole matter should be visualized from a broad viewpoint. The Government should be prepared to undertake the organization of the society. There is no use of having one more society and adding to the large number of societies existing only in name. I hope that is not the idea either of the Government or of those who are concerned with the matter. So, Sir, I request the Government to take a broad view of the question and look at the whole thing in a comprehensive manner and do what is necessary."

* The Hon. Mr. P. T. RAJAN:—"Sir, my hon. Friend, Diwan Bahadur Ramalingam Chettiyar, said that my speech was very short and that I should have explained the objects of the society at length. He made it up himself by making a long speech, giving exactly what the ideal ought to be as against what could be achieved in the circumstances in which the co-operative movement and other movements which are designed to help the people are working now. This scheme is based on the recommendation of the Registrar of Co-operative Societies. If my hon. Friend wanted, he could certainly have suggested a larger scheme, a more comprehensive scheme than the one that has been sent up to the Government. The Government would have been only too glad to examine it and give effect to it if possible. My hon. Friend says 'My letter is before you.' I dare say there may be many letters before us. How to work out the scheme is the question; there is no use of having merely paper schemes. We are concerned with the practical way in which effect can be given to these schemes. My hon. Friend says there are a number of items which have been omitted from the scheme. I do not know what exactly those items are, that could have been included. My hon. Friend suggests that there is need for organizing similar societies in the districts. That is not mentioned by the Registrar. All that is wanted by the Registrar is an office, a staff to bring the society into existence and make it function for three years. Whatever has been asked for by the Registrar, the Government have agreed to. If the activities of this society are to be enlarged, certainly you can do so, provided that you are certain that a larger scheme than the present one can be given effect to by those who are engaged in this movement. My hon. Friend suggested that everything should be visualized in a broad spirit. Certainly I am prepared to look at things from that point of view. But unfortunately even those persons who have been in the movement, feel that the societies do not get on well the moment the Government withdraw their financial support or the services of their officers. Whatever the scheme may be, however useful it may be, I should like that it should start on a modest scale and be allowed to develop gradually.

"My hon. Friend, Mr. Premayya said that fruit-growers have to wait for six or seven years before they can realize any benefit from their gardens. It is quite true and certainly during this period of waiting, they want financial help. There are other ways of helping them. This society is meant only for the purpose of finding out markets for the produce of their members. Individuals may be allowed to sell

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the goods through the central society. There is no objection to that being done. We are not going to bind this society by any hard and fast rules. The society, when it comes into existence, will be allowed to enlarge its activities. I shall only be too glad to help the agriculturists in any way possible.

" Coming to my hon. Friend, Mr. Muniswami Pillai, he asked who were the non-officials who attended the conference convened by the Registrar. I can tell him that the Government had no hand in the convening of this conference and it was merely an informal one convened by the Registrar of Co-operative Societies at Ootacamund. I believe some leading co-operators met together and this was one of the items which they discussed. I gather from my hon. Friend, Diwan Bahadur Ramalingam Chettiyar, that as a result of their discussion this scheme was sent up to the Government for their acceptance. With regard to marketing of potatoes, I should like to tell my hon. Friend that the Registrar of Co-operative Societies started a society some time back for supply of manure to the potato-growers in Nilgiris. I do not know whether it is working successfully. If it is so, the next step will be that facilities by way of starting a loan and sale society will be given.

" I am informed that there is no genuine desire on the part of the Badagas to get marketing facilities through co-operative organizations. Such being the case I do not know whether the Government can be charged with indifference in the matter. Anyhow, as far as this question is concerned, I hope to be at Ootacamund, some time next month and I shall be glad to meet the potato-growers and see whether there is genuine desire on their part to have a society for marketing purposes.

" As regards land mortgage banks, hon. Members of the House are aware that there was a land mortgage bank at Ootacamund meant specially for the welfare and benefit of Badagas. But the society became practically dormant and was eventually liquidated. There has been a demand from some hon. Members of this House that there should be a land mortgage bank for Nilgiris. That request was conveyed to the Registrar for his consideration. I am sorry to find that Nilgiris is not included in the list of 14 banks which the Government propose to sanction. I shall convey the feeling of hon. Members of this House to the Registrar and ask him to see whether he cannot include Nilgiris also now. If not, he would see whether it could not be included in the next year's programme.

" Coming to my hon. Friend, Mr. Davis, he referred to tea estates, and coffee estates; he says that they have to limit their cultivation. I am afraid I am not directly connected with these two items. If the labourers would stand to suffer as a result of this limitation in cultivation, to the extent to which the departments under my control can help them, it will be done.

" Once more let me tell hon. Members of this House that this scheme is only a tentative one; it is not proposed to limit its activities; and it is open to the Members and others who are interested

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in this kind of society to make suggestions as to what other items should be included for receiving marketing facilities. When we see that the society is functioning properly and wants more help either in the shape of finance or in the shape of services of officials, the Government would only be too glad to give it After all, what Government want to be assured about is that whatever scheme is given effect to, it must work properly; and when that is assured, I am quite sure my hon. Colleague, the Finance Member, will be only too glad to give the necessary financial assistance in his usual generous manner."

Mr. G. R. PREMAYYA:—" Mr. President, Sir, I think the hon. Minister has given me entire satisfaction with only one exception. I said that unless the creditor is satisfied, it will be really difficult to give any relief to the grower. I think, as the society functions, that difficulty would be solved. I do not therefore press my motion."

The cut motion was, by leave, withdrawn.

* Rao Sahib V. I. MUNISWAMI PILLAI:—" I only want to bring to the notice of the Hon. Minister this fact: He said in the course of his speech that there was no genuine demand from the potato-growers for facilities of marketing; I would like to tell him that there is really a strong feeling among potato-growers for some marketing facilities. With these words, Sir, I do not want to press my motion."

The cut motion was, by leave, withdrawn.

* The Hon. the PRESIDENT:—" I will now put the main motion to the vote of the House.

" The question is:

' *That Government be granted a further sum not exceeding Rs. 100 under Grant XXIII—Co-operative Societies—Transferred* '."

The Demand was put and carried and the Grant was made.

(7) GRANT XXV—INDUSTRIES—TRANSFERRED.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move—

' *that Government be granted a further sum not exceeding Rs.* 100 *under Grant XXV—Industries—Transferred.*'

" This is a token demand which deals with experiments to be made in the preparation of toilet creams, etc., in the Kerala Soap Institute, Calicut. The explanatory note [a] already circulated gives all the details, and I hope the House will be pleased to pass this grant which will help this province from an industrial point of view. It is needless for me to go through or reiterate all that is stated in the note. If, however, any further information is required by hon. Members of this House, I shall be only too glad to give it in the course of discussion. With these words, Sir, I request the House to accept the motion."

[a] Printed as Appendix VI on pages 303-305 infra.

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* Mr. G. R. Premayya:—" Sir, I wish to move the amendment standing in my name, viz.—

'to reduce the allotment of Rs. 100 by Re. 1.'

" My object is to discuss the advisability of giving the grant to the Kerala Soap Institute in view of the fact that it is working at a loss on all its undertakings. Sir, I was given to understand that this Institute was working at a loss. Our country is an agricultural country, and if any industries are developed, it will be really better for the country. I think, however, that such industries should have been started much earlier; still, it is not too late. Most of our toilet materials are being imported at present from foreign countries; in every town, we find lorries running, full of soaps manufactured in foreign countries. Any efforts to have soaps manufactured in this country itself are welcome; and if there are experts available in the Kerala Institute who can make vegetable fats which may be useful for this purpose, this would be a step in the right direction. We have at present to purchase our toilet requisites from foreign countries and in this way a lot of money is going out of the country, which is a loss to us. I therefore say that if the Institute is running well, we can very well give this grant. I was under the impression that the Institute was not running well, or was running at a loss, and that is why I gave notice of this amendment. If it is running well, I would have no objection to this grant being made to the Institute."

The Hon. the President:—" A few other hon. Members also have given notice of amendments on the same subject; and if any of them are willing to speak even now, they may do so, without putting themselves to the necessity of moving their amendments separately."

* Mr. K. Koti Reddi:—" Sir, I am not moving my amendment, but I am taking advantage of your suggestion, to speak on this amendment. I should not have spoken on this amendment but for the fact that the Hon. Minister has been saying for some time past that he has done this and that. (Interruption from the Hon. Mr. P. T. Rajan.) I am glad that the Hon. Minister for Industries admits that so far as he is concerned, he has not been able to do anything for the development of industries in this province. I am glad that at least now he comes forward with a small demand like this. There is no doubt that this province has immense opportunities for manufacturing the things referred to, which are now being imported from foreign countries. Toilet requisites are one of those materials whose import is every day increasing, and I am glad to see that Government propose to take steps to make a research into the possibilities of their manufacture in our province."

* Mr. G. Rameswara Rao:—" I just wanted to know whether there was any real advantage in training students in the Kerala Soap Institute, and if so, to what extent it has been attained. I want to know how many students have been trained since the beginning of the Institute; how many of them have been employed in Government service or in private service and how many of them have started enterprises of their own. I may also remark that the Government are

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spending as much as Rs. 25,000 a year on advertising their products, and thus competing with private enterprise. This needless waste of public money might be avoided if soap manufacture is entirely left to private enterprise. I have also to draw the attention of Government to the fact that the students of the Institute are not given proper training. I have first-hand information that the students are not told the secrets of manufacture in certain cases, and they are in no way better after coming out of the Institute than they were by merely reading the books on the concerned subjects. When heavy fees are charged for the course and when the knowledge given to them is not more than that the books published on the subject can give, it is simply useless to pretend that the Institute is actually giving an impetus to the development of industry in this province. If the Government complain that the Mysore Factory keeps the secrets to itself and does not serve the public need, in the light of what I have said, nothing better can be predicated of our own Government factory. This is not what is expected by expenditure of public money. If it is to be said that the Institute serves the purpose of carrying on research, it may confine its attention to that subject alone, and publish its results for the benefit of those interested in the matter. But if it starts to manufacture also, it must not compete with private enterprise and kill it, even going to the extent of thrusting its own products on the public and also advertising their products at a heavy cost of Rs. 25,000 a year. That is an aspect which has got to be re-examined by the Government before they spend moneys on what are called 'industrial enterprises'."

* Mr. M. S. Sreshta:—"Mr. President, Sir, I rise to support this application for a grant to the Institute. In fact it is surprising that any one should oppose it especially when it is admitted that the industrialization of the country through the development of the Kerala Soap Institute is a step in the right direction. If I am not mistaken, the Godrej soaps are now manufactured by experts trained by the Kerala Soap Institute. I should rather think that the activities of this Institute should have been widened long ago. For instance, the materials required for the manufacture of certain of the products now thought of are to be found in large quantities in South Kanara, such as kaolin and white clay. These are found in very large quantities in South Kanara—that is the opinion of the Ceramic Expert who has written a very interesting report of his survey. This being so, every opportunity should be availed of to make use of these materials. I would suggest another direction in which these materials should be used, viz., for the manufacture of distempers. I think for making starch soft clay is being used in Bombay, and a good deal of soft clay for this purpose is being imported into this country. All these materials are available in South Kanara and some other districts of the East Coast, I think in Nellore. I trust that the Industries department would examine this question and avail itself of every opportunity to make use of the vast quantities of these materials which are now lying unused.

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"Another suggestion that I would like to make is this. It is somewhat difficult now to get a course of training in this institute, because a very large sum of money has to be paid as fees by the students, which is beyond the means of the poor people. The other day I myself sent up an application on behalf of a young man who wanted to take a course of training in this institute, but it was found that the fee was so heavy that it was not possible for him to pay and undergo the training. I would therefore suggest that the fees might be reduced so as to encourage as many young men as possible to go over to the institute and learn the business. I would also suggest that, as is done in the Agricultural College, short courses might be instituted for about six months or even less if possible. If possible, some scholarships might also be established so as to invite to the institute people who cannot afford to pay the high fees now charged and who wish to get trained. 12-? p.m.

"The next point I would like to know is, whether there are a sufficient number of experts in this institute and whether it is possible for the present officers there to take over all these new ideas. If not, I would suggest that experts who have dealt with these matters and who would be able to give instruction as regards the manufacture of distempers and so on, might also be secured and employed in this institute. These are the ideas that strike me in connexion with the proposal now made. Of course it is an excellent proposal and shows that very good constructive work is proposed to be taken on hand."

* Mr. K. A. Nachiyappa Gounder :—" Mr. President, Sir, I would like to lend my support to the motion for the token demand of Rs. 100. In giving my support, I would like to say a few words with regard to this institute. I am glad to state that it is doing good service to the country. After all the Government have taken up the development of this branch of industry of late, but in other directions they have not advanced. In this particular institute I find they are manufacturing a great number of varieties of soaps; besides, they are also extracting varieties of oils and are trying various other experiments. In the figures that have been furnished in the explanatory note, we find that excluding soaps, a good deal of toilet articles, whose cost is considerable, are being imported year after year. In these days when there is a great agitation for swadeshi articles it is time that we venture on producing our own requirements here itself and in order to achieve this end, the Government's demand for a grant should be unhesitatingly supported. The amount is after all very small and is not in any way great—only Rs. 500—and there need not be any anxiety on the part of my hon. Colleagues as to whether this amount is worth spending or not. The experiment seems to have been tried in Mysore and the Finance Committee when last the question was before them seem to have stated that the experiment need not be tried. The reason that is now stated is that full information about the results there are not available and so it is necessary that the experiment should be tried here. Evidently the conditions may be different here, and I feel, Sir, that it is necessary

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that we should make a trial under the conditions now obtaining with us. After all, this institute, as has been pointed out by some of my hon. Friends, is working at a profit and it has got great potentialities in it and if proper attention is paid to it, I am sure it will develop the industries of our country a good deal. I have had occasion to pay a visit to the institute and I am convinced that it is turning out a very useful national work and I have therefore great pleasure in giving my support to this demand."

* The Hon. Mr. P. T. RAJAN:—" Sir, my Friend, Mr. Premayya, started with the remark that this institute is working at a loss. Now that he has come to know that the institute is not working at a loss, I will not go into the matter further. My friend also said that foreign soaps are being imported, in spite of the fact that students have been trained and taught to make soaps. It is true no doubt. Students have been taught to make soap either as a cottage industry or on a large industrial scale. In these days when leading co-operators are very keen on providing necessary funds I dare say younger and more enterprising men amongst them should find it very easy to get the necessary capital and start factories though on a small scale in the beginning.

" Sir, coming to oils, no doubt it is the desire of this institute to utilize the various oils found in this country to the best use possible, for instance, hair oils, creams, brilliantines and so on. Till now, this experiment was not tried. Every time it was proposed, either the Finance Committee or the Government told the Director of Industries, 'you need not do it, because the factory run by the Mysore Government is carrying out such experiments in this direction.' But, we find that that factory is not prepared to divulge their secrets and we cannot persuade to disclose them. We propose therefore to make this experiment in our own factory and train students in preparing these things for which there is a big demand in this country. That is stated in the explanatory note itself. A number of items are being imported into this country from foreign countries and in order to replace those things by local made things it is proposed to try this experiment.

" My hon. Friend, Mr. Rameswara Rao, said that in the Kerala Soap Institute itself the students are denied all the facilities they want. I do not know what basis my Friend has got for making that statement. As a matter of fact, students are being trained in the preparation of all articles manufactured there. If my hon. Friend, Mr. Rameswara Rao, would give me any specific instance in which a student who has gone there for the purpose of training, was denied the help, I shall certainly look into the matter. After all, this institute is meant to teach pupils and not to deny them the training.

" As for the number of students who have been trained, I believe from 1927–28 to 1934–35 about 88 students have so far been trained and if you include the number of students trained during 1935–36—about a dozen—it will make in all about 100 students, of whom about

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54 are engaged in soap making. It is somewhat creditable to an institute started only in 1927 to have turned out so many students who can contribute to the industrial progress of this province.

"My hon. Friend, Mr. Koti Reddi, misrepresented me when he stated that I admitted that I have not done anything for the development of industries. I never said or admitted anything of the kind. I hope my hon. Friend will not misrepresent me or attribute to me things never said or done by me.

"Coming to my hon. Friend, Mr. Sreshta, he said, to get the necessary course of training in the institute is difficult, because the fees are heavy. I do not think the fees are very heavy and no student has hitherto complained about it. If such a complaint is received from the students, Government are prepared to look into the matter.

"As for the suggestion that short courses might be instituted in this institute on the analogy of the Agricultural College, I am afraid that will not be possible. So far as agriculture is concerned, the course can be completed in three or four months, but in the case of the industrial institute, such a short course may not be possible, though I am not certain that a short course is not being given now.

"As regards the question of scholarships, I believe there are some scholarships, but I am not quite certain about it. Any how I will consider that suggestion of my hon. Friend.

"As regards the question whether there are a sufficient number of experts to teach the students in the various processes that are necessary, I believe there are a number of men trained by the Superintendent of the institute who is reputed to be an expert. I am quite sure that this aspect will be taken note of when we get men for training in all the branches.

"I am thankful to my hon. Friend, Mr. Nachiyappa Gounder, for his very hearty support. I am also very glad that there are other hon. Members of the House who support the demand—I am thankful to them—and I hope they will pass this demand."

Mr. G. R. Premayya:—"I beg to withdraw the motion, Sir."

The cut motion was by leave withdrawn.

The Demand was then put and carried and the Grant was made.

(8) GRANT XXIX—CIVIL WORKS—WORKS—RESERVED AND TRANSFERRED.

The Hon. Mr. P. T. Rajan:—"Sir, on the recommendation of His Excellency the Governor I beg to move—

'*that Government be granted a further sum not exceeding Rs.* 300 *under Grant XXIX—Civil Works—Works—Reserved and Transferred.*'

"Originally, I was to have moved four items, but one item has since been omitted, i.e., No. (*a*) Construction of the Revenue Divisional Office at Amalapuram, because we are getting some more information that was asked for by the Finance Committee. I am therefore moving

the other three items, viz. (1) contruction of quarters for the Revenue Divisional Officer at Mayavaram, (2) improvements to the buildings for hostel for the Government Training School, Ranipet, and (3) construction of residence for the Superintending Engineer at Tanjore. Sir, the Explanatory Note * which has been circulated to hon. Members of this House gives the reasons for the imperative necessity for the construction of these buildings and I do not think there is any necessity for me to deal with them at length. I hope the House will be pleased to accept all the three items."

15 * Mr. G. RAMESWARA RAO:—" Mr. President, Sir, I beg to move
a. the motion standing in my name, i.e.,

' to reduce the allotment of Rs. 300 by Re. 1.'

" My object is to point out that the public finances of the province need not be wasted upon building residential quarters. The time when we used to look upon Government servants as a sort of supermen has gone by; we are now in democratic days when public servants must be made to feel that they are members of the body politic; they are to serve and not to govern. I do not think that segregating the Revenue Divisional Officer from the rest of the town and keeping him under a sort of gosha will add either to his efficiency or the convenience of the public with whom he has to live and have his being. I can understand a Judicial Officer being so segregated because it is supposed that he does not know anything that is going on in the world outside his court; he has to pronounce his judgment on the evidence before the court. But the Revenue Divisional Officer being an executive officer is entirely different; he is supposed to be the link between the people and the Government and he is supposed to be the voice, as it were, of the people to the Government and vice versa. He can serve his purpose better being in the midst of the people. Then there will be more facilities for the exchange of views, for representation of the people to the Government and for the passing on of representations on important matters to the Government. That is his legitimate duty. That being so, I cannot really understand why he cannot live with the people in the houses that the rest of mankind in the locality have been living. It might be that his dignity requires that he should live in decent quarters surrounded by an extensive compound and gardens. But I would say that the democratic spirit of the age is that an officer if he is to serve the public ought to live in their midst and learn. I can understand the position if it is to be an office building. I suppose that the spirit of the age demands that our officers should be asked to live wherever they are posted and get on with whatever facilities are available. We cannot give special facilities for those who are to serve us and put them on a differential footing by giving them more amenities than the rest of the people are able to enjoy. That is the aspect of the question I would put forward for the consideration of the House and I hope that the future Ministers in an autonomous state will certainly have an eye to public service, and public benefit rather than

* Printed as Appendix VII on pages 305—308 infra.

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individual tastes and fancies. I would therefore urge the Government to utilize their revenue for more important, larger and more useful purposes than trying to serve the particular fancies and tastes of their subordinates. Let me close by saying that fools build homes for wise men to live in."

* Mr. K. Koti Reddi:—"Mr. President, Sir, my grievance with regard to the expenditure on residential quarters of Government officials is not so much against the buildings themselves as with regard to the scale of expenditure sanctioned for the purpose. I think there is a good deal to be said for the proposal of my hon. Friend, Mr. Rameswara Rao. But there are also other considerations which point to the desirability in some cases to have Government quarters for some of them. It happens that when a Government official lives in a rented bungalow, it is just possible that that particular owner may utilize his acquaintance with him for his own purpose. However honest Government officials may be it is just possible that such acquaintance with officials may be abused. Such occurrences are not rare and this is the one way in which such a thing could be avoided. I do not think that the Government undertaking to provide quarters to their officers is by itself wrong, provided that they are not unneccessarily spending or wasting the money. It comes to this: that Government must see that the return that they realize in the shape of rent from the money invested in these buildings is not less than the interest that the said amounts will yield. We will take a particnlar instance. The cost of constructing the quarters for the Revenue Divisional Officer at Mayavaram is expected to be Rs. 18,800. No doubt the rate of interest at present is as low as 3 or 3½ per cent. Still, Sir, there are annual repairs, depreciation, taxes to municipalities and such other things which will have to be attended to. If all these things are taken into account, we would not be far wrong if we calculate 6 per cent of the amount invested as the fair rent. If we calculate at this rate the interest payable will be Rs. 94 per month. What is the salary of the Revenue Divisional Officer and can he pay such amount? In this connexion, we have also to bear in mind the fact that sooner or later, the salaries in the higher posts being very high, the day will come when the salaries will have to be reduced. It is on this ground that I urge that the expenditure ought to be considerably reduced.

"I presume that the site for the present building has not been chosen. But I am afraid that the Government seem to think that their officers should live far away from the busy portions of the city. It may be very well for the officers. But then, what about the clerks and peons who have to carry tapals to him? They will have to walk three or four miles or engage a jatka which they can ill afford. I therefore think that it would be much better if the quarters are located in the town itself or at least very near the town. I hope that the Government will give proper direction to their officers in the matter of choosing sites for residential purposes. The objections of my hon. friend can be met in this way. If such amounts are not to be spent from revenue, they

may be spent out of the Loan Fund, in which case again the question of return will have to be considered. As I said, I am for the expenditure on such buildings being considerably reduced with a view to equate the rent with the 6 per cent yield of interest from the capital invested on the building, so that it may not be a losing concern."

* Mr. BASHEER AHMED SAYEED:—" Mr. President, I for one will urge on the Government that there should be more quarters built for Government officers in the mufassal towns. The difficulties on account of want of decent quarters that these officers are put to, are many. The time taken by them to settle in a place to which they have been transferred is much and great inconvenience and trouble are caused both to the officer and the public. We have to remember how much it will affect the efficiency of the officer. My hon. friend from Cuddapah has pointed out that it is not in the public interests that the officers should be allowed to be at the mercy of landlords. I agree with him on this point and I say that if we really want our officers who are serving in the districts to be above any obligation to any person, it is necessary that we should provide them with quarters. There are a few quarters for divisional officers in certain districts. Probably, wherever there is a Joint Magistrate's division, there are quarters. The divisional officers who are invariably Deputy Collectors are always left to their own resources. I have personally seen at Chidambaram the difficulties of the officers in locating themselves when they are transferred and that too when transfers are not infrequent. They are not indeed insurmountable; but just imagine an officer who is at the mercy of a landlord or who occupies the travellers' bungalow for a week or a fortnight inconveniencing himself as well as others for whom it is intended and which he occupies to their detriment. My suggestion to the Government would be that they should launch upon a big scheme of construction of quarters for the divisional officers and other officers of similar rank. It will certainly give facilities for pumping out money and sending it out on circulation. If they only undertake such big schemes, probably it may go a long way to relieve unemployment to some extent. I should think that the House ought to endorse not the piecemeal construction policy but a policy for building quarters wherever the need is felt. It will be in the interests of the service and it will add to their efficiency. I think it is the duty of the House to provide good houses for our officers. I do not think it will be wise policy to deny them decent quarters."

* Mr. K. A. NACHIYAPPA GOUNDER:—" Mr. President, Sir, on this cut motion I like to put it to the Government whether it is advisable for them to approach us with a proposal to undertake the construction of buildings at this stage. Nowadays whenever any proposals are brought before them, Government are saying that they would not commit the New Government to any such expenditures. But I do not see the reason why they should hurry up the construction of these buildings. For my part, I think, that there is no necessity for coming forward with such a proposal at this stage through a supplementary grant. If they are really urgent they might have included these proposals in the

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original Budget itself if they have got a consolidated scheme like the one suggested by my hon. friend Mr. Basheer Ahmed Sayeed. Instead of that, they are taking up this work piecemeal in this fashion. We are not also able to see the importance and urgency of the present proposals. If they have a complete and comprehensive scheme, it will be possible for them to make a selection out of them for precedence. With regard to the construction of a building for the Revenue Divisional Officer, Amalapuram. . . ."

* The Hon. the PRESIDENT:—"The Hon. Minister did not move a token motion in respect of that item. It has been deleted."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Very well, Sir, with regard to the other new constructions I think it is possible that they may lie over till the next budget in view of the fact that they are not so very urgent. I also suggest that the Government should consider this matter that such items are not brought forward before the House through supplementary grants; but that they are brought up at the time of the budget after preparing a full and consolidated scheme for buildings in each department."

(After Lunch—3 p.m.)

* Mr. T. C. SRINIVASA AYYANGAR:—"Mr. President, I do not agree with my hon. Friend Mr. Rameswara Rao in his proposition that there ought not to be any provision by way of Government building for officials. It is a wrong proposition if it is to be in that unqualified form. There are places and places. There may be some places for example Tranquebar and similar other places where the importance of the town having been lost there are plenty of buildings without tenants or occupants. But in most of the places where important offices are located the lack of proper accommodation creates a great deal of inconvenience. Particularly for a divisional officer there ought to be a public building for their accommodation. They are exercising not only executive functions but also judicial functions. In Madura in spite of its being a very big town there are hardly enough number of houses available for higher officers which will be convenient to them. But there is one thing which is in the suggestion of my hon. Friends. In the matter of the design and cost there must be a revision of rules so that it may be an economic proposition and a paying proposition also. I support the motion made by the Hon. Minister."

* Mr. M. DEVADASAN:—"Mr. President, Sir I want to join Mr. Srinivasa Ayyangar in supporting the motion of the Hon. Minister. I want to make a few remarks to show the necessity for the construction of buildings not only for the gazetted officers but also for all class of officers. You know very well that even for constables there are quarters provided in each station. Even for the clerks of the Secretariat there is Todhunter Nagar where quarters have been provided by the Government. In other places also there are quarters provided for the occupation of Government servants. I want to point out to the Hon. Minister and the Hon. the Revenue Member certain difficulties experienced by members of my class in the matter of accommodation, when

they are transferred from places like towns to mufassal centres. In Trichendur there are two clerks who have been unable to get houses because caste people—I do not want to give offence to anybody—, as I hear, have refused to let houses for them. The result is they have been obliged to find shelter in the chatram belonging to the depressed classes. It is absolutely necessary that buildings should be provided not only for gazetted officers but also for all classes of officers.

"Government do not sustain any loss because, as I understand, one-tenth of the salary of the Government servants is deducted towards the rent for the occupation of the Government quarters. I speak subject to correction. In all cases where Government servants have been provided with quarters, they are obliged to pay rent. Mr. Rameswara Rao said that they do not contribute anything to the Government and there is no covenant with the Government for the provision of accommodation. Lot of difficulties has been experienced by the Government servants in the matter of accommodation and Mr. Basheer Ahmed referred to a few of them. In the interests of purity of the administration of this country it is absolutely necessary that Government servants should be given sufficient facilities so that they may move from one place to another at short notice, and their quarters should be away from the congested area in order that they may work without any disturbance or trouble. By allowing Government servants to seek private houses for their living the Government will put them to place themselves under very inconvenient obligations to the landlords. Some sub-magistrates and tahsildars have to seek accommodation in the buildings of rich men, and if there is some trouble between the landlords and other people, the officers have to pay some attention to these landlords lest they should be asked to vacate. Even in my own district, we can find some of the tahsildars have to seek accommodation in the buildings of rich men, and mutts and it is often said that those officers and heads of maths are friends. I ask Government not to give room to such rumours or apprehension by launching upon a speedy programme of building houses. Some lakhs of rupees have been allotted in the budget of the current year for building houses for Government servants. I want to urge upon the Government the advisability of constructing houses not only for gazetted officers but also for all classes of officers. With these words I support the motion of the Hon. Minister and oppose the cut motion moved by my hon. Friend Mr. Rameswara Rao. It is absolutely irrelevant and no useful member of the Council will support the proposition of my friend."

* The Hon. Mr. P. T. Rajan:—"Mr. President, Sir, my friend Mr. Rameswara Rao said that putting up these buildings is a mere waste of public funds. My friend does not realize that these buildings fetch rent from their occupants. In giving them quarters you are only trying to afford facilities to Government servants so that they may not be put to the trouble of searching for suitable houses. Government do not propose to segregate these officers outside the towns. As far as possible they will put up the buildings in places near towns so that the necessary relationship between the officials and non-officials might exist.

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My friend Mr. Koti Reddi said that money spent on them should fetch reasonable interest. I believe the rents are fixed in such a way as to fetch an interest of six per cent on the capital invested. I believe that is a fairly decent return got by the Government from the buildings. It was pointed out that the percentage of return on the capital might become less if the rents were to be calculated on the basis of the scale of pay of officers because the present scale might further be reduced in the future. If so the need for providing free quarters will arise. I can assure hon. Members that Government will see that they get a reasonable return on the sums spent on quarters. Sir, my friend Mr. Basheer Ahmed said that Government should have provided quarters for all officers. He also charged Government for not having a well-considered construction programme spread over so many years. In reply to that I should like to say that at least in the case of the Revenue Department it has suggested a programme. It is as follows:—

'A consolidated statement embodying the information furnished by the Collectors is enclosed. The statement shows that there are 28 divisions where no proper accommodation exists for revenue divisional officers or where (it exists) they are at the mercy of the whims, caprices and political or caste prejudices of a single landlord.'

The Board's remarks in the last paragraph were borne out by Mr. Devadasan in his speech. So the Government propose to provide quarters for officers so that they may not be put on the one hand to the necessity of constantly being in search for houses and on the other to keep them out of any influence of private landlords. I should have thought that the Council would have found fault with the Government especially when the money market is so very cheap for not providing quarters for all officers both gazetted and otherwise as in that case they would derive a steady income by way of rent. I may say from my own experience that it is not possible to get houses even in Madras, and in a place like Madura, which is my own native town, officers are put to great difficulties in finding suitable accommodation. I believe a beginning is made now according to that programme of the Board of Revenue, namely, that six buildings should be put up every year for Revenue Divisional Officers. I dare say, when the new Government comes in, they might improve on this and go in for a more comprehensive programme. But, I believe, Sir, that the opinion of the House is in favour of putting up buildings for these officers. I do not think any other criticism has been raised by any Member of the House seriously for me to meet. In view of this, I hope the House will be pleased to pass the Demand."

* Mr. G. RAMESWARA RAO:—"Mr. President, though I am not quite satisfied with the reply given by the Hon. Minister, I feel there will be a day when the correct principles on such and similar questions will be realized better, later on and with that fond hope—as I know fully well that I have no support for my view at present in this House—and wishing for that auspicious day when better wisdom will dawn in course of time, I withdraw my cut motion."

The cut motion was by leave withdrawn.

The Demand was then put and carried and the Grant was made.

IV.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, AND TO AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934, FOR CERTAIN PURPOSES (BILL No. 11 OF 1936).

* The Hon. Sir Charles Souter:—"Sir, I beg to present the [a] report of the Select Committee on the Bill further to amend the Madras Estates Land Act, 1908, and to amend the Madras Estates Land (Amendment) Act, 1934, for certain purposes (Bill No. 11 of 1936) and to move that the Bill,[a] as amended by the Select Committee, be taken into consideration.

"The report of the Select Committee is, I hope, in the hands of Members of the House, and I need not refer to it for the moment. While making this motion, Sir, I think I ought to give the House some observations, even though I run the risk of reiterating what has been said both by myself and others in this House many times over; because a Bill of this nature is so important that I think the House should be in full possession of the considerations and reasons which have led Government throughout all these years to press for its passing by this House. As you know, Sir, the idea of extending to the ryots of the inams the rights and privileges which have been extended to the ryots in zamindari tracts, is not a matter which has arisen only recently. When the Madras Estates Land Act of 1908 was passed, as we all know, this matter of including the tenants of inams was also considered, and in fact inams were included in the general scheme of that Act in the first draft. For reasons which I think it is unnecessary for me to enter into now, this provision was omitted, and as it happened its omission did not, perhaps, to a very large extent, matter very much for the first ten years of the operation of the old Act of 1908. But, when in 1918 and two years later the Privy Council by their decisions, if I may say so, took the whole of this Presidency by surprise, and when they gave those decisions which shifted the burden of proving the right of kudiwaram practically on to the tenant, the situation altered entirely. And it is this alteration in the situation which subsequently induced Government again to take up this question of granting the ryots in inam villages the same rights and privileges as those of the ryots in the zamindari villages. That, Sir, is the immediate cause perhaps of this proposed legislation. But there are stronger grounds even than that, for introducing such legislation. One of the grounds, and I think a very strong ground, is this: are we going to exclude one class of ryots numbering on a rough estimate something like 5 million people, from rights and privileges which have been granted not only to ryots in Government tracts, but to ryots in zamindari tracts? That puts the question in a broad and simple manner. But it is a consideration which, I think, must weigh first in the minds of every one who contemplates this legislation. It seems to me that to exclude such tenants from such privileges is grossly unfair. We know ourselves,—those of us who served in the districts—we know definitely that the condition of tenants in inam villages is, generally speaking, far less agreeable than the condition of ryots in any other tract of the country. This is a fact

[a] Published in the *Fort St. George Gazette*, dated 4th August 1936.

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which I have noticed not only myself but which I have been assured by numerous friends is the condition which actually prevails, and I do think it is the duty of the Government to remedy this condition.

"Then, Sir, when the Act of 1908 was passed, we had practically the same arguments, the same clamour, against the inclusion of tenants in zamindari tracts, as we have now. We were told—you have only to read the debates on that Act which was passed—we were told that all sorts of things would happen: the zamindars would be ruined, the estates would become worth much less than they were then, we should be depriving the zamindars of the opportunity of denying rights to the ryot, to the ryot, mind you, giving the zamindars the opportunity of ejecting their tenants and imposing such rackrents as they willed; we should be taking away valuable rights, and in consequence all sorts of things would happen in the future. Well, Sir, that Act has been in force for the last 28 years, and none of those apprehensions, so far as I am aware, has ever taken place, has not materialized. The tenants as well as the zamindars know that their estates are as valuable now as they were in 1908. If then, we take the analogy of the Estates Land Act and apply it to the inams, we know that those apprehensions which were put forward in 1908 and which we know from the debates in this House and the proceedings in the last two or three years, have now been advanced, are unfounded and have no substance. It is on this ground I ask this House now to make up its mind that this measure shall be passed. It has gone through very many vicissitudes and there is no doubt that this House knows the detailed arguments for and against it. We have had them not only twice, but thrice perhaps before, and they have been repeated ever since *ad nauseum*. Still this House has during all these years consistently held the view that relief is necessary to tenants in inam villages. It is only on the point as to whether by depriving the inamdar of certain rights which he claims we are committing an expropriation which demands compensation, as we all know, this House first thought—if my estimate of the feeling in this House is correct—and a great many of us still think, that such compensation is uncalled for. But when our last amending Bill which this House passed into an Act was submitted for the assent of the Viceroy, that assent was withheld on this sole ground, namely, that there was expropriation and that our measure did not provide any compensation for the expropriation. And the Bill was to all intents and purposes remitted to us for consideration of that sole point. I rather emphasize this point for this reason, that from the list of amendments which we see to-day—they number something like fifty—an attempt seems to be made by various members that the general principles of the Bill should be reopened. I merely suggest to the House that this attempt is really unnecessary, because not only has this House, three times already, approved the general principle of the Bill, but in explicit terms, the Viceroy has told us that he has no desire to take away from the tenants in inam villages the chance of acquiring occupancy right. Those facts are clear. I therefore make this observation to the House to-day, that if it is still

of opinion that the general principles of the Bill should be maintained, they should not delay matters by going into those general principles. I will suggest that the first point is only with respect to the question of compensation, the quantum of it and similar facts; the second point is with respect to the means, the procedure whereby the tenant or the inamdar may prove who has the kudivaram right to the tribunal or the court which has to decide the point. Anything outside these points, I submit—I do not know if they are irrelevant—are not necessary. I admit, as I said in the Select Committee, that this House has the opportunity, if it cares to do so, to reopen the whole matter. But I trust that if any motion is brought forward, for instance to postpone the Bill *sine die*, the House will emphatically declare that it wishes this measure to be considered now.

"I do not think, Sir, there is any necessity to say anything further at this stage. If the various amendments are moved I shall further support the measure by way of criticism of the amendments. In my view, however, it is unnecessary that many of these amendments should be moved regard being had to the general principles of the Bill and I hope that the House will endeavour to confine itself to those points which have been remitted for our consideration by His Excellency the Governor-General."

IV-A.—PETITION TO THE COUNCIL.

Mr. U. C. SUBRAHMANYA BHATT :—" Mr. President, I beg to present this petition [a] from His Holiness Sree Shanmuga Desika Gnanasambanda Pandarasannadhi Avargal, Adinakarthar of Dharmapuram Adhinam, Dharmapuram, Tanjore district, to the President and Members of the Madras Legislative Council, praying that the Government may be pleased to drop this Bill or adjourn the further consideration of the same till they have conducted a thorough enquiry in regard to this question and modified the Bill suitably to the results of such an enquiry or at least exclude from the scope of this Bill all those inam lands belonging to the religious and charitable institutions which are not covered by the original Act I of 1908."

* The Hon. the PRESIDENT :—" The Secretary will read an abstract of the petition."

An abstract [b] of the petition was accordingly read by the Secretary.

A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, AND TO AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934, FOR CERTAIN PURPOSES (BILL NO. 11 OF 1936)—*cont.*

* Sir A. P. PATRO :—" Sir, I had no idea of referring in this debate, until I heard the speech of the Hon. the Revenue Member, to the historical retrospect of this Bill which I believe was not very necessary

[a] Printed as Appendix VII-A on pages 309–312 infra.
[b] Printed as Appendix VII-B on pages 312–313 infra.

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for the purpose of the discussion of the Bill. I therefore feel compelled to point out briefly that the Hon. Member is not altogether accurate in his statement of the history of this measure.

"Sir, when for the first time legislation in regard to the zamindaris was contemplated, the question of inams was not thought of at all. Inam villages were not considered at all even when two Members of that Council raised the question. Therefore it is the question of inams was not seriously considered at that early date.

"Then we come to the next stage in 1922 a Bill was sought to be introduced for amending the Act. I have with me a copy of that Bill which sought to amend Act I of 1908 printed in parallel columns. That shows that there was absolutely no idea in the minds of the Government of including the inams. But the Hon. Member has now drawn attention to the great necessity for putting the ryots in the inam villages in the same position as the ryots in the neighbouring estates. He says that it is wrong to deprive those ryots of the rights and privileges conferred on the ryots by the Estates Land Act, but we do not find that anxiety of the Government in their Bill introduced in 1922. The short title, etc., of that Bill reads thus:—

> 'Whereas it is expedient to further amend the Madras Estates Land Act I of 1908.
>
> 'Whereas the previous sanction of the Governor-General has been obtained to the passing of this Act;
>
> 'It is hereby enacted as follows:—
>
> "This Bill was circulated to us. In it, an inam has been defined thus:
>
> 'Any inam village of which the grant was made and confirmed by the British Government:
>
> 'Provided that where the entire kudivaram interest in any land in the village vests in the inamdar such land shall cease to be part of the estate.'" '

"This was in 1922. This then represented the carefully considered views of the Government. Then again, there was another Bill sought to be introduced. There too the definition for inams was the same. This was in 1932. Though the two said Bills proved infructuous, we have in them the considered views of the Government in regard to inams. We do not find in them any trace of the anxiety which has now been given expression to by the Hon. the Revenue Member. What happened then was that when the Bill was before the Select Committee, one or two Members proposed an amendment wishing to do something definite. It must be remembered that that amendment was not proposed on account of agitation on the part of the ryots that they shall be placed on a par with the ryots of the zamindari villages. It is not so. At the time of the discussion of the Bill which afterwards became the Act of 1934, during the Select Committee stage, the late lamented Mr. B. Muniswami Nayudu proposed an amendment."

Sriman M. G. PATNAIK Mahasayo:—" No. You are entirely wrong."

* Sir A. P. PATRO:—" If not he, my hon. Friend, the Expert Member who is too much alive to-day, proposed an amendment. Then came this provision. Therefore, it is really intended, as the Hon. the Revenue Member explained, to remove the difficulty created by the decision of the Privy Council or the doubt that has been thrown by the decision of the Privy Council. This Council thereupon consented to this measure and it went up to His Excellency the Governor Sir George Stanley who sent it back to us and we again considered it and it went to His Excellency the Governor-General. It has again come back to us. Its passage up and down in this manner is proof of the fact that there is no finality attached to the clauses of this Bill. It has taken a long course. Now let us see what the Governor-General did with it. He said that he could not accept the Bill as framed because its provisions were considered to be expropriatory in character. Hon. Members will therefore realize that it is in our hands again not because the Government wanted to give rights to the ryots, but because of the advocacy of an hon. Member who is known to be a very generous supporter of the ryot population. That is the history of this measure.

" I shall now deal with the present Bill. This Bill, when it was vetoed by the Governor-General, came back to this Government. Now, what is the course that should be adopted by any wise or prudent Government which is anxious to see that justice is done to the ryot population? I know the large sympathy which the Hon. the Revenue Member has for the ryots. His policy in regard to minor irrigation works is known to be very sympathetic, but it is a surprise to me that all that sympathy for the cause of the ryots vanished when he touched this unfortunate Bill. Sir, he almost became a dual personality when he touched this Bill."

The Hon. Sir CHARLES SOUTER:—" A word of personal explanation, Sir. There is no dual personality. My interests are exactly the same in both cases."

* Sir A. P. PATRO:—" The Bill as it came back from the Governor-General therefore was a vetoed Bill. It is a new Bill that has been introduced. That is the point I want to emphasize to-day. It is not merely that the Governor-General has sent it back for reconsideration. What the Governor-General has done is to veto the Bill and give his reasons. One of those reasons is that the Bill is expropriatory in nature. This Bill therefore is a new Bill. Instead of relying upon its prestige what the Government should have done in a statesmanlike manner is, not to reintroduce it in another form giving it a new name and a new colour, but to consult public opinion especially when the whole of this Council is going to be reorganized, when the reforms are going to be introduced, when a larger franchise is being introduced and when a more representative assembly is going to come in. Government may stand on its own rights. This House by a majority, the Government agreeing with it,

has held that the Bill passed by it and placed before the Governor-General for assent was the right one and the correct one. Therefore what is the stand that a prudent and statesmanlike Government should take? They should explain the Bill and say: 'Here is the time coming for the general election. We shall consult the constituencies and see if the Governor-General's view will be accepted or the view of this Government and of this House.' Is it not prudent to do so?

"On the other hand what does the Government do? The Govern- 3-4
ment are rushing this measure under the colour of having adopted a p.m.
different procedure and of giving as compensation one year's rent which has been fixed as the purchase value of the right of the inamdar. My contention to-day is that this Bill is a very controversial measure as it affects the interests of 5,000,000 people, and 5,000 villages and perhaps about 5,000,000 holdings. Therefore it is a very important and complicated measure. Now are you going to dispose of that measure at the end of the lifetime of this Council? Is that after all the statesmanlike view to be taken? I submit it is not. Sir, this Bill is an unwanted Bill. It is not wanted by the ryots; it is not wanted by the inamdars (question). Patience, my Friend the Expert Member (turning to Mr. Patnaik). It is not wanted by anybody. There are some other points which I did not touch upon fairly in my speech on the 26th March last, but these are the points which I wanted to emphasize and say that public opinion, since the Bill was referred to the Select Committee, is against it. Secondly, the inamdars of the whole inam villages, so far divided, have said that it gives no protection to them. Even the privileges that are allowed in the Malabar Tenancy Bill are denied to the ryots, especially in the whole inam villages. The decisions of the Privy Council in favour of establishing the rights of the inamdars are not taken into consideration and reasonable provision is not made to protect their rights. Then the procedure is so complicated that even the Government in their reports have stated that a less complicated procedure was necessary and that the amendment that they have so far made has not properly worked. And yet the Government have taken upon themselves the responsibility of introducing this Bill. I am not going to say again that this Bill is not necessary. (A voice—'Yet some people want it.') Yes, those that have not property may want this Bill.

"Sir, to come to the point, there is no hurry for introducing this Bill.

"On the first point, viz., that public opinion is against it, I want to say that it is not the Congress Party that is opposing this Bill. The 'Justice' people belonging to the 'Justice' movement have in unequivocal terms expressed their views in the public press that this Bill is not wanted. I shall refer to them *seriatim*. I wish to ask my friends belonging to the 'Justice' movement to consider what value they will attach to the expression of opinion of the people in the districts. Is

it conceivable that people belonging to the 'Justice' party will support this Bill? But there they are in the districts. Let us see what their opinion is. In a letter, dated April 1936, in the *Madras Mail* written by one Mr. Chitti Babu Nayudu, a man belonging to the 'Justice movement,' he says he is opposed to this Bill. Again in the *Andhra Patrika* letters have appeared from people belonging to West Godavari and also Vizagapatam, who also belong to 'Justice movement' opposing this Bill. Thirdly, in a paper called *New Orissa* which my hon. Friend the Expert Member represents, letters have appeared protesting against the introduction of this measure. Again in the *Hindu*, four letters appeared from people, protesting against the introduction of this Bill. There were again meetings held in various places. Now, leave alone those members of the Justice Party in the districts, in the taluks and in the villages, whose whole living is touched by this Bill. They cry, but with what result? Now I shall refer to the hon. Member who, in season and out of season, has championed the ryots' cause. He led a deputation consisting of the representatives of four districts, viz., Guntur, Kistna, East Godavari and West Godavari. On behalf of the suffering millions of these four districts, the champion of the ryots' cause, the hon. Mr. Krishnayya Choudari led a deputation and filed a memorandum before the Hon. the Revenue Member on the eve of the meeting of the Select Committee and this hon. House will be glad to note the representation which on behalf of the ryots he made before the Revenue Member. He said 'the ryots are unable to pay any compensation; their economic and financial condition is such that they are unable to pay anything by way of compensation; therefore prayed to be saved from this Bill.' That is the prayer which the hon. Member representing the four districts mentioned above emphatically and in his own characteristic way (Laughter) put before the Hon. the Revenue Member. That memorandum was published in the Press and the interview was published in the Press and I am sure the House will now agree that the protest against this Bill is not merely from interested quarters, not merely from this association or that association, but it is from the ryots' organization represented by a responsible Member of this House. . ."

Mr. P. V. KRISHNAYYA CHOUDARI :—"Mr. President, Sir, I never objected to the introduction of the Bill, but only pointed out that the clause dealing with compensation should be removed. That does not mean I am against the Bill. I just wanted to explain my position to this hon. House."

Sir A. P. PATRO :—"Sir, the cat is out of the bag. (Laughter).

"What is this Bill for? What is the object of the Government in introducing this Bill? It wants that some compensation should be paid to the inamdars, but my hon. Friend does not want any compensation to be paid to them. Sir, my hon. Friend from Guntur made his explanation to strengthen the point which I have been emphasizing till now.

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"Now with regard to the inamdars. The Inamdar's Association of this Presidency have submitted a memorandum and in arguing the whole matter very fully in all its aspects have given very cogent reasons why they are not in favour of this Bill. In spite of this, the Government are introducing this measure. Is it to save the prestige of the Government that they are introducing this measure or to save the interests of the ryots? So the inamdars do not want this Bill. Public opinion is against it.

"Now, going to the second point, the villages are so far divided. It is not the whole of 5,000 villages that are whole inam villages as they exist. I would simply draw the attention of this Hon. House to the schedule that has been already circulated amongst the Members of the Select Committee. That schedule remains unchallenged or I shall wait for any correction in this schedule, viz., the schedule for West Godavari, Guntur and Vizagapatam. Taking a village in Bhimavaram taluk which consists of 1,605 acres of inam land, that inam is held by 134 inamdars, of whom 20 inamdars hold lands from 5 to 10 acres and the remaining 114 hold cultivable lands below 5 acres. A village which consists of 1,605 acres is subdivided either by inheritance or partition or by alienation and it is held by 114 people who hold below 5 acres. Then I take a village from Guntur. A village consists of 727 acres and it is held by 74 inamdars of whom 44 hold below 5 acres. Another village is said to consist of 600 acres and 55 of the inamdars there hold below 3 acres. Again in Vizagapatam district in a village which consists of 507 acres having 43 inamdars, there are only three inamdars holding 30 acres of land each."

* The Hon. the PRESIDENT:—"May I ask the hon. Member not to go into so much detail now? As we have several amendments as to whether this Bill should be made applicable to inam villages consisting of 30 acres and 50 acres and so on, I think we can go into those details when we come to them. I think at the present stage it is not necessary to go into such details."

Sir A. P. PATRO:—"I thank you very much for drawing my attention to the point. I was going into these details in order to illustrate the principle that I have enunciated."

* The Hon. the PRESIDENT:—"I do not object to the hon. Member illustrating his principle by one or two examples."

Sir A. P. PATRO:—"I had been developing the point last time in my own way. As far as I can see I think I am justified in giving those illustrations, but as you have now warned me, I take note of your warning."

"Sir, as I pointed out, in this table you will find that these inam lands are held by very small landholders, say, below 5 acres. Of the 5,000 whole inam villages, if you will make enquiry, as has been stated in a typical case, you will find these are not full inam villages but such villages consist of inamdars who hold 5 acres and below. And yet you want to raise these inamdars to the level of the zamindars who

hold large estates and who will have to adopt some procedure or some method as provided for in the Estates Land Act. Therefore this measure cannot apply to such inamdars, unless a complete investigation has .m. been made into the details and the occupations held by various tenants and also the nature of the inams enquired into. The nature of the inams has to be enquired into and they have to be classified.

The third point I suggested is this. In cases where the land is held by so many people and is divided into very small bits, what is the procedure adopted under the Malabar Tenancy Act? Under that Act, this House has given the right to the landholder to take the land from the tenant if he wants it for his family cultivation. But what provision is there in this Bill for safeguarding the rights of people who have got 3 or 5 acres only? That is the position here, a most astounding position on the face of it. You give the Malabar landlords the right to acquire the lands if they want them for family cultivation but you deny the same right here. I have here various cases where the Privy Council have decided the rights of the landholders. This paper was circulated to us at the time when the Select Committee was sitting in 1934. We have got a number of inam villages which have been decided by the courts to be non-estates. There are 107 of them. The matters have gone up to the Privy Council and they have decided that in those estates the tenant has no kudivaram right. There is also a recent decision of the High Court in 1930 in regard to certain inam villages where the inamdars have been declared to be owners of both the varams. In regard to these large number of decisions by the High Court and the Privy Council, the highest tribunal, what is the protection that is provided in the Bill? Absolutely none. All that is said is that they can enjoy the right for 12 years after which they would have no occupancy rights. I do not know, Sir, where this curious idea of 12 years came from. As a lawyer, I understand that for limitation purposes adverse possession for 12 years will give the possessor a prescriptive right. But I do not know—perhaps more experienced lawyers will tell me—how 12 years' occupation will deprive a man of the right of enjoyment he possesses. This is the converse of the law of limitation as it is to-day. While the Limitation Act says that 12 years' adverse possession will give you the right to the property, this law says that 12 years' enjoyment will deprive you of the right of enjoyment of the property. Even after the man has gone up to the High Court and the Privy Council and established his right, what does this Bill say? It says '12 years.' Twelve years—I do not know wherefrom this curious idea has dawned upon this Government. I say, Sir, that this Bill will be unworkable.

" The other point that I wanted to refer to was about the procedure. Need I refer to the details in the Bill for this purpose? I should say, Sir, that the procedure is such that it deprives the inamdar completely of all the rights which every citizen is entitled to have as a matter of statutory right. Sections 18[illegible] and 185 of the Act and the proviso thereto sweep away all the rights of the inamdar. If in the agreement entered into according to the statutory law there was stipulation that

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the cultivating tenant had no occupancy right that is to be of no evidential value. This is the unkindest cut of all. The *cowles* and *kadapas* are to be of no evidential value. In Act VIII of 1865, in what is known as the Rent Recovery Act, the necessity of exchanging cowles and kadapas setting forth clearly the terms of the transaction between the landlord and tenant is explained. Similarly under sections 50 and 51 of the Estates Land Act, 1908, the landholder and the tenant have compulsorily to exchange cowles and kadapas if they want to take advantage of the special provisions of the Act, namely, those relating to the sale of holdings, attachment proceedings and so on. In spite of all this, what do we see here to-day? This Bill says that the statutory requirements which you have complied with from time to time are to be of no evidential value. It has been explained that certain decisions of the High Court ought not to be considered for the purpose of eviction. True, but these observations depended on the particular circumstances of the case. In a case which has been reported under the Bengal Tenancy Act, it has been observed that cowles and kadapas ought to have their proper value and statements in them will have to be considered along with the other circumstances of the case. The statement in the Bill that the procedure embodies the decision of the High Court is not at all correct. In 5 Patna, 634 and in the recent case in the Madras High Court reported as 58 Madras Law Journal, 26, notes, it is stated that you must give sufficient weight to the statements in the cowles and kadapas which are executed under a statutory obligation and you cannot set them aside; but what value should be attached to such statements in the cowles and kadapas is left to the presiding judge to determine with reference to the other circumstances. The procedure should not be summary as it is here. To say that the inamdar should not have the benefit of legislation is quite arbitrary, unfair and unjust both to the Government and the inamdar.

"Sir, the last but one point that I want to touch upon is this. This Bill is taking away property from those that have and giving it to those that have not. That is the summary which I make of this—taking away rights from those that have and giving them to those that have not. This is said to be socialism. But even the prophets of socialism in this country do not want to introduce socialism like this. They say, 'we must first have independence and then we will take away the rights of those that have and give them to those that have not.' They say 'we must have independence first.' (Mr. Basu Dev: 'We want socialism in our time.' Sir, here is a Labour Member, one who calls himself such, a self-styled Labour Member who says he wants socialism even now. By all means he is welcome to agitate and bring round the Government to his own view. No, the Madras Government already holds the same view as the hon. the nominated Member Mr. Basu Dev. And rightly so; as he is a representative of the Madras Government, he is entitled to speak on their behalf. (Laughter.) This kind of legislation savours of the deprivation of the just rights and just liberties of the people. This is not the time for it. The last time the Bill came up I gave my whole-hearted support to it. Why?

Because I thought that the Bill contained two simple principles—fixity of tenure for the ryot and security for payment of rent. It was in favour of the ryots and also in favour of the inamdars. Give fixity of tenure to the ryots and give guarantee of payment of rent to the inamdar and be done with it. There you have a tenancy law. But what has this Bill done? This goes farther. It wants the ryots to give compensation. The inamdar says the compensation is not adequate. So this Bill is not wanted by either party.

"The Hon. the Revenue Member has said that this Bill has been thrice accepted by the House in principle. That was the burden of his argument on the last occasion and he has repeated it again and said that the House cannot go back on the principles which it has accepted once and that it is bound to accept them. That is the reason pressed by the Hon. the Revenue Member."

The Hon. Sir CHARLES SOUTER:—"As a personal explanation, what I said was that I hoped it would be accepted."

Sir A. P. PATRO:—"Yes, certainly, I too hope that my motion will be accepted. (Laughter.) As regards my position, he read out the report and said that I have been inconsistent. I know my position quite as well as the Hon. Member. There is no fear that the House will be inconsistent. What is the position? As has been stated by one of the greatest statesmen of England,

'Consistency is not the highest form of virtue, nor inconsistency one of the worst forms of political error.'

The Expert Member (Mr. Patnaik) need not interrupt. He may be bursting with information. He further says:—

'To lay too much stress on it is infinitely dangerous. It is to hold out inducements to members to continue in error after they have discovered that it is an error.'

Therefore, I say that consistency is not the highest form of virtue nor inconsistency one of the worst forms of political error. He further says:—

'To lend a deaf ear to argument lest their convictions which they are bound to alter should receive a shock . . .'

This is what one of the noted British statesmen, Lord Salisbury, the then Prime Minister, stated when Lord Goschen (the Chancellor of the Exchequer) came over from Gladstone's Party and joined his party. Lord Salisbury defended his position."

The Hon. Sir CHARLES SOUTER:—"Just an elucidation, Sir. Am I to understand that the hon. Member has changed his view?"

Sir A. P. PATRO:—"I am afraid the Hon. Member is still in darkness."

The Hon. Sir CHARLES SOUTER:—"I am; I want elucidation."

Sir A. P. PATRO:—"There is light now. It is stated that the House has accepted the principle three times. I am explaining that point. Three times you may have erred. This is the fourth time. As I said, the procedure that has been adopted and the way in which this Bill

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is introduced are my reasons and arguments for postponing the consideration of this Bill. Nothing is lost by postponing it. I will refer to the administrative difficulties that have been felt in giving effect to the Act. The procedure is very cumbersome; many points are altogether omitted; it gives plenty of trouble to give effect to the Act. The Administration Report for the year 1934–35 says, 'the new Act [The Madras Estates Land (Amendment) Act VIII of 1934] came into force on 1st July 1934 and was in actual working in the fasli. The changes introduced by the new Act presented certain administrative difficulties and some difficulty was also experienced in interpreting some of the provisions of the Act. The Board of Revenue is carefully examining the matter. . . . There was a considerable increase in the number of applications pending. The elaborate procedure prescribed in the amended Act for the sale of holdings for the arrears of rent, was largely responsible for the increase in the pendency of the applications. The machinery for the administration of the amended Act was not working smoothly and some adjustment will probably be necessary.' This is the opinion of the Madras Government as expressed in the recent Administration Report for the year 1934–35, page 25. Even the amended Act, the recent Act of 1934, gives rise to so many administrative difficulties; legally some of these amendments are not capable of being understood; the provisions are not capable of interpretation properly. This Bill was passed after 12 years of cogitation, after collecting materials for 12 years. What is the position to-day? The Act of 1934 is very difficult to work. Therefore, why add this measure which is full of complications and difficulties? It may be left for further consideration. It is not desirable to pass a Bill like this at this stage. It is stated that this matter has been under consideration from the year 1908 onwards. I explained it was not so. All the Members of the House, then, most of them, were lawyers. To-day we hear the voice of the people in the districts, of the people in the villages. I want this House to listen to the voice of the people. . . ."

The Hon. Sir CHARLES SOUTER:—"May I know if the hon. Member has ceased to be a lawyer?"

Sir A. P. PATRO:—"With these words, I move the motion standing in my name

'*that the further consideration of the report of the Select Committee and the Bill be adjourned* sine die.' "

* The Hon. the PRESIDENT:—"Has the hon. Member moved his first amendment or both his amendments?"

Sir A. P. PATRO:—"If you will permit me, I shall move both the motions."

* The Hon. the PRESIDENT:—"I am unable to understand how to put both the motions to the House."

Sir A. P. PATRO:—"Sir, I move my second motion alone."

* Mr. K. A. NACHIYAPPA GOUNDER:—" Sir, I beg to second the motion that has been so ably moved by my hon. Friend, Sir Parasuram from Ganjam. While presenting the report of the Select Committee to the House, the Hon. the Revenue Member stated that this measure had been contemplated even in the year 1908 and that for some reason or other it was left over without being taken into consideration at that time. But I doubt whether inam lands stand on the same footing as zamindari lands. I think, Sir, that in the matter of zamindari lands, it was never contended that the zamindars held both the varams. It may be that a few zamindars held both the varam rights. But I know very many cases and it was not thought that they held both the varams; they held only one varam. With regard to inams I find that in almost all the cases, the inamdars held the kudivaram right from a very long time and it is not proper on our part to take away this right all on a sudden. I believe, Sir, that this is the reason why inams were not roped in even in the year 1908. The question is whether we are justified to meddle with this vested right now.

" My hon. Friend from Ganjam has pointed out that the question of limitation law has not been taken into consideration. The ordinary law of limitation is this: when a man comes into possession of property and enjoys it for a continuous period of twelve years, he has got a right over it and it cannot be taken away. In the case of many of the inams this right has been enjoyed not for one period of twelve years but for several periods of twelve years. The point is whether it is right on our part to infringe the law of limitation by bringing forward this measure. Properly speaking, we should stick to that all-India law and we should not take away so light heartedly this vested right which has been enjoyed by an individual for a considerable time.

" We have had the experience of this Bill being returned to us many a time for some reason or other. From this fact it is evident that this measure was not fully and carefully considered and it is a premature one. That is why it has been returned many a time. At last with great difficulty it emerged from Madras and went to Delhi; from there also it was returned with definite instructions; it has been stated that this Bill is expropriatory and that compensation should be given. From this at least we should know, Sir, that the Government of India think that the kudivaram right has been vested in the inamdar and that that right should not be taken away. They say that this right should not be taken away without adequate compensation. As the Bill has been returned on the consideration that compensation should be paid, it is suggested in the Bill now that two and a half times the rent may be taken as compensation. We find there are amendments which fix the compensation as the annual rent. The hon. the Expert Member while talking to me casually said that it must be Re. 1. May I ask, Sir, whether these are adequate compensations to acquire the vested right? We must also take into consideration the fact whether we should proceed with this Bill now in the face of the considerations which forced the Government of India to return the Bill.

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"This Bill has been necked into this hall as it were, several times, since this House passed it without the fullest consideration, and without definite facts and figures. We are not in full possession of facts and figures with regard to various kinds of inams that exist in our Presidency. We have got various types of inams in various places; various extents of inams are enjoyed in different places. Many owners do not possess more than 3 acres or 5 acres, as has been explained by my hon. Friend from Ganjam. I think it is not advisable to go on with the measure before we have an elaborate study of the conditions of inams and other particulars. It would have been well on the part of the Government to have detailed examination about the various kinds of inams that are held by the people. We should study the conditions under which these inams were granted. If the Government had instituted such an elaborate enquiry in the matter, it would have been very helpful. I do not know what benefit can be derived by this measure; truly we do not know what the consequences will be. I may say, Sir, that the Government did not seriously think of a measure of this kind even when the so-called comprehensive Bill to amend the Madras Estates Land Act was brought in. At various stages of the Bill various amendments have been brought forward without knowing what the consequences will be. It was stated that the seed for this has been planted even prior to 1908. Even granting that it was planted prior to 1908, my point is that this took root and it was allowed to sprout only when the late Mr. Muniswami Nayudu brought forward an amendment to the so-called comprehensive Bill to amend the Madras Estates Land Act, 1908, before the Council some time back. Before that, it was not thought of since the year 1908. After that amendment was taken up for consideration and voted upon by a majority and when the Bill was recommitted by His Excellency the Governor then this idea of bringing up a separate Bill was thought of. Even though the Hon. the Revenue Member said that this matter had been under consideration for a long time, we know it as a matter of fact that only recently it has come to engage our attention. If we are to spring up a measure like this, we would be disturbing the right which people have been enjoying for a very long time. Some of these inams were given for the purpose of seeing that some temples and other institutions should exist and be run. If this Bill is passed, how will these institutions be able to get on? That is one of the contentions that has been put before us by the petition which has been presented to the House by my Friend Mr. Subrahmanya Bhatt, from the Pandarasannathi of Dharmapuram just a while ago. As has been stated in the petition, the inam villages were granted for the purpose of performing pujas in various temples for which the Pandarasannathi is the trustee or custodian. If you disturb the present state of affairs, how are these rites in those temples and mutts to be performed? The same difficulty exists with all the temples and mutts. This is a serious matter for us to consider. If it is simply a matter of taking away the rights of a few individuals, perhaps it may be said that that can be done easily. But we in India who attach great 4-30 p.m.

importance to religion and to temples ought to see that no rights are taken away, which would result in our temples and religious institutions going to ruin. A measure dealing with such a serious matter ought not to be disposed of so lightly as is proposed now. From that point of view, I do think that the implications of this measure should be considered in much greater detail.

"Another matter which I should like to mention in this connexion is this: most of the inams which have been endowed to temples for particular purposes are brought under the grip of the Hindu Religious Endowments Act which specifically says that they should not be alienated in any manner. It is therefore up to us to consider whether we should meddle with them now by this measure. Again, if we give away the rights of temple land to the ryot who is enjoying it and give compensation to the temple, it amounts to alienation, and I fear, Sir, that it would thus infringe the provisions of the Hindu Religious Endowments Act.

"Another point to be considered is how those who say that the kudivaram right should go to the ryot would be helping the ryot. I for one am for helping the ryot wherever possible, and I am quite prepared to give my fullest co-operation in allowing the ryot to enjoy such privileges as could be given to him without depriving the vested rights of one who has been enjoying such rights all the while. People who have those rights now should be consulted and must be prevailed upon to come to terms if they are to part with those rights. When public opinion is not ripe for taking away such rights, we cannot take them away and give them to others.

"It has been stated, Sir, that this measure will help the ryots; but my own fear is that even the little conveniences that are now enjoyed by them will be questioned; they will be entangled in endless litigation which will lead to their ruin. In that view also, the measure ought not to be taken up now. The ryots who have all along been thinking that the inam lands were the absolute properties of the inamdars will now, if this measure is to become an Act, take it into their heads to fight out their feeble rights in courts of law. The inamdars also will not leave the matter easily; the ryots being illiterates mostly, will be dragged into constant litigation, with the ultimate result that the ryots would have to suffer greater hardships than now. This aspect of the question has therefore got to be considered.

"Sir, it is said that the principles of this measure have been dealt with by the Council more than once and a verdict has been given already, and that therefore it won't be proper for us to raise any objection now. But what I say is that though the Council gave its verdict before, the measure has again come to us; and the fact that the Bill is coming to us again and again should be taken note of to show that this measure is ill-conceived. In my opinion, that fact alone is sufficient justification for our going into the measure more elaborately and in greater detail. Even when this measure was

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brought up in 1934, I objected to it on the ground that this important measure should be allowed to be dealt with by the new Reformed Council, which will be a truly representative one. As I mentioned at that time, we were sent here as Members for a definite period and that period having been exceeded, we could not boldly say that our opinion is the public opinion and that it should be taken as the public opinion of the day. Therefore, my main reason for seconding this amendment is that this measure should be allowed to lie over until the Reformed Council comes into existence and that in the meanwhile the Government, if they are earnest about this measure as they seem to be, should gather more particulars to be placed before the new Council which will be more alive to public opinion. Those who think that by passing a measure like this they will be doing a distinct service to the ryot population will be well advised to take their chances in the new election on this particular point; and if public opinion is found to be in favour of this measure, they can easily push through the measure by a unanimous vote in the new Council.

" On all these various grounds, I request this Honourable House to give due consideration to the motion before us. From the number of amendments given notice of, we can find that there is a lot of difference of opinion in the matter; and it is not proper that at the fag-end of the life of this Council we should push through a measure on which there is such grave difference of opinion. So I request the Hon. the Revenue Member to accept this motion moved by my hon. Friend, Sir Parasuram Das Patro."

* The KUMARARAJA OF VENKATAGIRI:—" Mr. President, Sir, I am indeed very glad to have the testimony—our view is supported by him—of Sir Charles Souter to the effect that the economic condition of the tenants in inam villages is worse than that of any other tenant. The British Officer can be expected to hold unbiassed views, and I suppose this statement cannot be challenged by anybody sitting in any part of this House. Sir, the conviction we have that the kudivaram right could not have been vested in the inamdar at the time of the grant has made this party support this Bill. Further, whatever the legal position might have been, we felt that the conditions required that the tenant in inam villages should be helped by vesting in him the occupancy right. What I mean is that though the occupancy right has always been possessed by him, in view of the conflicting decisions by the Privy Council, we thought that it was necessary that this legislation should be passed. This measure has been before the public for a very long period; and as Sir Charles Souter aptly described it, it went through many vicissitudes. The motion moved by my hon. Friend, Sir Patro—for whom every one of us in the Justice Party entertains regard and affection—is, in my opinion, quite unnecessary for the reason that all the aspects of the question have been already examined and the country has had ample opportunities to know all the details about this legislation. It cannot now lie in the mouth of anybody to say that this legislation

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is being hurried through. Sir Patro stated that we should allow this legislation to be put off till after the elections, so that the country may have an opportunity to express its opinion on this measure. You know, Sir, this bill is now before the Council because of the objection taken by, presumably for us, the Government of India. It is in order to get over that difficulty that this legislation is now brought before us, not because those who supported this measure previously have now found any material to change their opinion. We still hold the view that this is a very proper and justifiable piece of legislation; and if we now support the Bill it is because we feel that we should have this legislation passed, so that this measure which was properly described by Sir Patro in 1934 as a beneficial one may become a law early. Further, in the year 1934, Sir Patro recognized that courtesy and kindness throughout all the stages were shown by the Member in charge then, and also that every attempt was made to meet the various difficulties pointed out by the inamdars.

-45 "Sir, may I, with your permission, read these few lines?—

.m. 'Every time a suggestion was made on behalf of the inamdars that their interests will be jeopardized if a particular method was adopted, he (Sir Archibald Campbell) heartily listened to it and suggested a *via media* whenever possible.'

Therefore, Sir, I am really unable, in spite of my affection and regard for my hon. Friend, Sir Patro, to understand what has justified him to move now for having the consideration of the measure adjourned. In spite of his attempted justification which he has made by referring to Lord Salisbury's observation that consistency is not always a virtue and inconsistency may be a virtue if it is justified by conditions, what I ask Sir Patro is whether there are any conditions which justify the inconsistency on his part in regard to this measure. Therefore, Sir, you will agree with me that this legislation which had been before this House and before the public for such a long time requires no further consideration.

"In regard to compensation, Sir, I have already explained what the Justice Party as a whole thinks. Certainly it is not because the Justice Party one fine morning became a socialistic or communistic organization that it stands for giving relief to the agriculturists whenever circumstances require, whatever might be the legal position and whatever the consequences, whether this might as alleged lead to socialism at any distant or near date. Sir, you may want to know whether the procedure proposed in the Bill in regard to shutting out evidence is justifiable. That clause has been adopted because it has been stated that in the lease deeds, in order to prevent tenants from acquiring occupancy rights, these safeguards might have been introduced after 1918 when the Privy Council changed the position. It is because of that apprehension, Sir, that we in the Select Committee adopted this clause in the Bill.

"Sir Patro sought to support his allegations by saying that there was no support or demand whatsoever in the country for this measure and then he referred to the statement made by Mr. P. V. Krishnayya

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Choudari on behalf of the agriculturists belonging to four districts before the Hon. the Revenue Member. As I understand it, what they apprehended was that even this compensation that is to be paid by the tenant to the inamdar will work a hardship. I do not think, Sir, that they consider this measure to be inimical to their interests. I know the tenants in inam villages will welcome this measure when it is passed.

"Sir, I do not know at this stage, whether it is proposed to take up the various amendments given notice of. I suppose I have made the position of the Justice Party clear in regard to the attitude it has adopted on a previous occasion with reference to a similar amendment moved by my hon. Friend, Sir Patro."

Sir A. P. PATRO:—"As a matter of personal explanation, Sir."

* The Hon. the PRESIDENT:—"I think, if the hon. Member is very anxious to make it, he can speak."

Sir A. P. PATRO:—"Sir, the Kumararaja Saheb has stated what do I mean by bringing in this motion in view of what I said in 1934 in appreciation of the help rendered by the then Hon. the Revenue Member, a portion of the speech I made on that occasion was just quoted by my hon. Friend. Even now, I say, I stand by the rights of the ryot, namely, if the Government bring forward the Bill as it was passed by this House, viz., fixity of tenure and security of rent, I am in favour of it. But this is a new Bill under a new cloak and that is my justification for opposing the Bill."

* The Hon. the PRESIDENT:—"At any rate the further consideration of this subject will be taken up on Monday.

"The House will adjourn now and meet again to-morrow at 11 a.m."

V.—PAPERS LAID ON THE TABLE OF THE HOUSE.

[a] 1. * *Statement showing additions and reductions in non-voted appropriations sanctioned during the year 1935–36.*

[b] 2.* *Notification, dated 28th July 1936, cancelling Home Department Notification No. 272, dated the 20th May 1936, reducing the rate of tax payable in respect of the four motor vehicles belonging to the Pudukkottai Darbar.*

[c] 3.* *Press Communiquè, dated the 27th August 1936, on schemes for the benefit of rural areas in progress and under examination by Government.*

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

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* Laid on the table on the 27th August 1936.
[a] Printed separately.
[b] Printed as Appendix VIII on page 313 infra.
[c] Printed as Appendix IX on pages 313–317 infra.

APPENDIX I.

[Vide answer to question No. 66 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 28th August 1936, page 229 supra.]

Letter from the Secretary to Government, Revenue Department, to M.R.Ry. P. V. KRISHNAYYA CHOUDARI Garu, M.L.C., Guntur, dated the 2nd July 1936, No. 2566-D/36-2.

[Excise—Hemp drugs—Ganja cultivation—Opening of a new centre. Your letter to the Hon. the Minister, dated the 10th June 1936.]

Since May 1928 a special Botanist has been engaged on the botanical investigation of the cultivation of ganja. The factor, which governs the investigation is the desirability of securing a larger yield of good ganja from a smaller concentrated area. In May 1936, the Commissioner of Excise reported that the experiments conducted by the special Botanist had established the fact that the hemp plant responds best to intensive methods of cultivation as a garden crop, i.e., irrigated dry crop, that the plant cannot stand water-logging conditions and that it thrives best in deep fertile and friable loams with adequate drainage facilities. It was also reported that the yield of the plants which were irrigated twice was more than double the yield of the purely rain-fed plants and that there was nothing to complain of the quality of the ganja produced as an irrigated crop. This meant that the area for cultivation could be reduced by half with an appropriate reduction in the supervising staff if the plants could be grown on a large scale under conditions enabling cultivation as a garden crop.

2. The Commissioner further reported that Santaravur was not a suitable centre for a system of garden cultivation, owing to the nature of the soil and the absence of irrigation facilities and the liability to inundation and water-logging from streams nearby. The Commissioner was of opinion that the lands in that centre were only suitable for the cultivation of the hemp plant as a rain-fed dry crop and that the scope for the improvement of the dry-farming system obtaining at Santaravur was limited. The Commissioner was accordingly of opinion that it had become necessary to select a new centre for cultivation where facilities existed for the development of the cultivation of the hemp plant as an irrigated dry crop and to change the venue of botanical investigation to that centre.

3. After an exhaustive search for suitable lands in the Guntur district and the Ceded districts the Special Botanist selected some land near Nandyal in the Kurnool district as most suitable for ganja cultivation as a garden crop. The Commissioner therefore proposed that ganja should be cultivated on a limited area of about 75 acres in

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Bhimavaram village close to the old Nandyal town and that the venue of botanical investigation should be moved to that centre. In an order, dated 29th May 1936, the Government sanctioned the Commissioner's proposal.

4. The Government have again examined the whole question carefully in consultation with the Commissioner with reference to your letter under reply. They see no reason either to reconsider or hold in abeyance the decision already arrived at. An extract from the report of the Excise Commissioner which contains replies to the points raised in paragraphs 3 to 7 of your letter is enclosed for your information.

5. The Government do not think that the decision reached by the Government on this question gives the ryots of Santaravur any ground for complaint either from the point of view of law or of equity. The lands to be cultivated with the hemp plant are not usually ploughed and manured earlier than June or July and the intention to restrict cultivation at Santaravur to lands having irrigation facilities became widely known to the local ryots as early as April 1936.

APPENDIX II.

[Vide answer to question No. 76 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 28th August 1936, page 236 supra.]

Statement showing the financial results of the scheme of photo-copying of documents since its introduction.

Year.	Loss.	Gain.
	RS.	RS.
Cine-film method—		
1931	..	1,300
1932	3,399	..
1933	2,334	..
1934	..	2,588
1935	..	781
Photo-stat method—		
Introduced in the district of South Malabar on 1st April 1934—		
1934	..	1,639
1935	..	3,522

APPENDIX III.

[Vide answer to question No. 80 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 28th August 1936, page 240 supra.]

Memorandum No. 21508 A-2, L.S.G., dated the 2nd July 1936.

[*Reference.*—Report of the Special Officer, dated 12th May 1936, R.C. No. 15792, and letter from the Inspector of Municipal Councils and Local Boards, dated 2nd June 1936, R.C. No. 15792. Bifurcation of Salem District Board.]

The Government consider that it will be in the interests of the local fund administration of the areas concerned that the Salem local fund district be abolished and new local fund districts created in its stead as shown below:—

Name of the new local fund district.	*Jurisdiction in revenue taluks.*
Salem A.	(i) Hosur.
	(ii) Krishnagiri.
	(iii) Dharmapuri.
	(iv) Harur.
	(v) Omalur.
Salem B	(i) Attur.
	(ii) Salem (including Yercaud sub-taluk).
	(iii) Namakkal (including Rasipuram sub-taluk).
	(iv) Tiruchengode.

2. The Government propose to issue a notification accordingly under sub-section (2) of section 3-A of the Madras Local Boards Act, 1920. With reference to sub-section (4) of the same section, the Salem District Board is requested, within a month of the date of this Memorandum, to show cause, if any, against the proposal.

T. B. RUSSELL,
Secretary to Government.

To the President, District Board, Salem.
,, Inspector of Municipal Councils and Local Boards.

APPENDIX IV.

[Vide answer to question No. 89 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 28th August 1936, page 245 supra.]

Fortnight ending	Imports from — Siam. Whole rice.	Siam. Broken rice.	Siam. Paddy.	Indo-China. Whole rice.	Indo-China. Broken rice.	Indo-China. Paddy.	Other places. Whole rice.	Other places. Broken rice.	Other places. Paddy.
	TONS.	TONS.	TONS.	TONS.	TONS.	TONS.	TONS.	TONS.	TONS.
15th January 1936 ..	..	393	..	..	..	..	..	..	..
31st January 1936 ..	851	4,921	..	701	751	..	..	..	..
15th February 1936 ..	851	751	..	498	..	..	..	..	..
29th February 1936 ..	..	1,177	..	100	..	..	..	..	..
14th March 1936 ..	..	..	..	1,509	6	8,260	..	..	..
31st March 1936 ..	350	3,505	1	250	..	9,611	1	..	..
15th April 1936 ..	..	..	..	196	..	930	..	..	..
30th April 1936 ..	400	1,051	100	..	..	2,035	..	..	..
15th May 1936 ..	1,127	350	..	..	..	10,202	..	..	..
31st May 1936	..	588	..	..	..	..	..	..	.
15th June 1936	..	..	..	..	..	7,073	..	..	..
30th June 1936	..	501	..	400	..	3,156	..	..	.

Appendix V.

[Vide answer to question No. 108-A asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 28th August 1936, page 259 supra.]

Extract from the latest report of the Deputy Director of Agriculture, VII Circle, Tellicherry.

Fungus diseases—Mahali disease of the arecanut.—This disease appeared during the rainy season both in South Kanara and Malabar. As the garden-owners are conversant with the control measures in Malabar the damage caused by the disease was not much but in South Kanara this disease did considerable damage to the crop. The disease appeared in a virulent form in most of the arecanut growing villages in Coondapoor, Puttur and Kasaragod taluks. From June to September special staff was sanctioned at Shankernarayana and Bayar the worst affected areas and spraying with Bordeaux mixture was demonstrated to control the disease. This is the second year of the campaign and 385,000 trees were sprayed by garden-owners in different areas against 116,150 trees in the previous year. Arecanut being an important money crop of the district, all possible attention was bestowed and considerable time and energy was spent on this work. Garden-owners in the interior villages take steps for spraying only after the disease was noticed and run for chemicals and sprayers to distant places. Now arrangements have been made through the co-operation of the firms dealing in chemicals and sprayers to open depots in the nearest towns for stocking chemicals and sprayers. Coolies were trained in preparing the Bordeaux mixture and spraying. The department also has made arrangements to stock a limited quantity of chemicals in some of the central villages. The co-operative societies were also interested in the sale of chemicals. All these preliminaries will assist the ryots in taking prompt action in case the disease appears in the coming season. In the case of poor ryots who cannot afford to invest money on the purchase of sprayers, a few takavi loans were granted for their purchase.

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APPENDIX VI.

[*Vide item* III (7) *at page* 268 *supra.*]

(7) EXPERIMENTS IN THE PREPARATION OF TOILET CREAMS, ETC., IN THE KERALA SOAP INSTITUTE, CALICUT.

Grant number.	Head of account.	Items of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
XXV. Industries —Transferred.	35. c. Industries—Industries—Transferred—L. Kerala Soap Institute—5. Instruction, Experiments and Miscellaneous—Voted—Materials—Cost of Oils and Imported Fats.	Cost of raw materials and chemicals. Cost of perfumes ..	100

Explanatory note.

The Director of Industries stated last year that, in view of the increasing competition from other oils which Indian oil-seeds were encountering, and of the restrictions which were being placed by European countries on the imports of oil-seeds, it was very desirable that experimental work should be undertaken with a view to extending the industrial utilization of vegetable oils as a raw material. There is a large existing and potential demand in India for toilet articles, such as creams, brilliantines and dentifrices, as the following statement, which shows the imports of "Toilet requisites other than soap" into India and into the Madras Presidency, during the last five years will show:—

	India.	Madras.
	RS.	RS.
1930–31	53,80,814	6,23,570
1931–32	47,79,746	4,55,238
1932–33	58,13,685	5,73,260
1933–34	56,61,474	5,20,667
1934–35	64,03,874	6,22,244

About one-third of the imports are derived from the United States of America, but Japan too is now entering the Indian market. As these articles have to bear a heavy import duty from 20 to 30 per cent *ad valorem*, it should be possible to manufacture and sell in India goods of equivalent quality at cheaper rates, and still realize a good return on the capital investment. At present uninstructed persons in many parts of India are producing some of these articles from inferior and even deleterious ingredients by rule of thumb methods, with the result that the quality of the products is questionable and often definitely injurious.

2. Several of the students of the Kerala Soap Institute are desirous of learning the methods and processes involved in the manufacture of such products, which have now become articles more of necessity than of luxury. The Institute is also receiving a number of inquiries for information about the materials, methods of preparation, processes and plant involved in the production of such articles.

3. Soap is the principal ingredient in dentifrices, shampoos, shaving creams, and similar articles, and of the other materials required, kaolin, fine talc and soft clay are available in several parts of the Presidency. Petroleum jelly is obtainable from Burma and other substances, such as starch, can easily be procured. Essential oils, such as sandalwood, geranium, eucalyptus and winter green oil, are used in dentifrices and brilliantines and are distilled in the Presidency. For the manufacture of hair oils, the deodarized oil turned out by the oil-refining plant at the Kerala Soap Institute, can be utilized. The Director stated that it should be possible to manufacture in this country many of the imported products. In order to enable the necessary experiments to be started at the Institute, the Director proposed to carry out the following programme of work at a cost of Rs. 500:—

(i) To collect samples of the most popular brands of toilet goods which are in general demand;

(ii) to carry out complete tests in the laboratory of these products, in order to ascertain their composition and effects; particularly their suitability for the requirements of this country;

(iii) to ascertain what indigenous materials are available for use in the manufacture of such products and where;

(iv) to work out recipes and formulæ for the manufacture of such products as will suit Indian requirements; and

(v) to ascertain what sort of containers are most suitable for the different products.

An exhaustive laboratory study of the various problems will have to be made on the lines indicated, and the materials which form the basis of the different products will have to be purchased in small quantities, after preliminary chemical tests, and blended in various proportions. If suitable formulæ can be devised, small quantities will be made up in the laboratory, and samples will be sent to the Institute's agents and others. If the results are satisfactory, it will have to be decided whether manufacture should be undertaken on a commercial scale at the Institute or an endeavour made to induce private enterprise to take up the further development of this branch of the oils and fats industry.

4. The scheme was placed before the Finance Committee last year as a Part II Scheme for 1936–37, but the Committee did not recommend it, apparently for the reason that the kind of work contemplated at the Institute was carried on successfully in Mysore. The Director of Industries was thereupon asked to investigate this and to report

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whether he considered that there was room for another factory of the kind in South India and whether the experience acquired in Mysore was not available. The Director has reported that the fact that the *Mysore Soap Factory was preparing some varieties of brilliantines and* vanishing creams and that the industrial laboratory attached to the soap factory was engaged in the manufacture of a few medicinal ointments, such as idocure, boroglycerine, was not in itself a sufficient reason for the Kerala Soap Institute to refrain from carrying out experiments in the preparation of well-known toilet articles, such as shampoos, dentifrices—solid and paste, hair oils, vanishing creams, brilliantines and other cosmetics, the import of which, was steadily increasing. He has further stated that it is inadvisable to leave the development of such promising items of manufacture entirely to an adjoining State and has added that the working details and experience gained by the Mysore Soap Factory are being kept a close secret and that visitors are not allowed to go round it, whilst the profit and loss accounts of the factory are not made public. The Director, therefore, considers that no private firm can hope to obtain details of the plant and processes relating to the manufacture of the products in question from Mysore and has stated that, unless the experiments contemplated are initiated at the Calicut Soap Institute, it will not be possible to furnish reliable data to potential manufacturers in this Presidency. He has now renewed the proposal.

In view of the Director's report, it is proposed to introduce the scheme in the current year by moving a supplementary demand for a token grant of Rs. 100 under Grant XXV—Industries—Transferred as this is expenditure on a new service. The balance of Rs. 400 will be met by reappropriation from the existing grant.

APPENDIX VII.

[Vide item III (8) at page 274 supra.]

(1)

(8) (*a*) CONSTRUCTION OF THE REVENUE DIVISIONAL OFFICE AT AMALAPURAM.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
XXIX. Civil Works—Works—Reserved and Transferred.	41. Civil Works—Transferred—a. Original works—Buildings—F. General Administration—Major Works.	Construction of a Revenue Divisional Office at Amalapuram, East Godavari district.	100

Explanatory note.

The office of the Revenue Divisional Officer, Amalapuram, has since 1931 been located in a private building situated in the heart of the town. It is therefore not suitable for the purpose and the

construction of a new office is necessary and desirable. If a Government building is provided it will result in a saving in recurring expenditure in the shape of rent (Rs. 50 per month) now paid for the private building. The Revenue Divisional office is not likely to be shifted from Amalapuram as a separate division for the Godavari Central Delta is necessary. It is therefore proposed to construct an office for the Revenue Divisional Officer, Amalapuram, and to put the scheme into effect during the current year. A site has been selected for the office building and approved by the Site Committee. The cost of the scheme is Rs. 67,000 ultimate and Rs. 1,000 in 1936–37. It is proposed to move a supplementary demand for a token grant of Rs. 100 under Grant XXIX—Civil Works—Works—Reserved and Transferred, the balance of the amount required in the current year, viz., Rs. 900 being met from savings under the grant.

(2)

(8) (b) CONSTRUCTION OF QUARTERS FOR THE REVENUE DIVISIONAL OFFICER AT MAYAVARAM.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
XXIX. Civil Works —Works—Reserved and Transferred.	41. Civil Works—Transferred —a. Original Works—Buildings—F. General Administration—Major Works.	Construction of quarters for the Revenue Divisional Officer at Mayavaram in Tanjore district.	100

Explanatory note.

Suitable quarters for the occupation of the Revenue Divisional Officer are not obtainable at Mayavaram in the Tanjore district. The building which the Divisional Officer is now occupying is not fit for an officer of his standing to live in. As no other houses are available the construction of quarters for the Divisional Officer is an urgent necessity. It is proposed to construct quarters for the Revenue Divisional Officer according to the approved type-design, after acquiring a suitable site. The cost of the scheme is Rs. 18,800 ultimate and Rs. 2,000 in 1936–37. This proposal was placed before the Finance Committee in January 1936, but was placed by that Committee in Class III (i.e., a scheme which it was advisable to put into effect as soon as funds were available). As funds are now available it is proposed to put the scheme into effect during the current year and to move a supplementary demand for a token grant of Rs. 100 under Grant XXIX—Civil Works—Works—Reserved and Transferred, the balance of the amount required in the current year, viz., Rs. 1,900 being met from the savings under the grant.

(3)

(8) (c) IMPROVEMENTS TO BUILDINGS FOR HOSTEL FOR THE GOVERNMENT TRAINING SCHOOL, RANIPET.

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936–37.
(1)	(2)	(3)	(4)
			RS.
XXIX. Civil Works—Works—Reserved and Transferred.	41. a. Civil Works—Transferred—Original Works—Buildings—M. 1. Education other than European and Anglo-Indian.	Improvements to the old Mission Hospital buildings to be used as hostel for the Government Training School, Ranipet.	100

Explanatory note.

In October 1929, the Director of Public Instruction brought to notice that the accommodation in the Government Training School for Masters, Ranipet, was very cramped and suggested that the old Mission Hospital buildings might be transferred to the Education Department. If this was done it was proposed to remove the hostel attached to the school to the hospital buildings and to utilize the hostel building for the additional accommodation required for the training school. Government approved the proposal to transfer the Mission Hospital buildings to the Education Department. It was found that the hospital buildings could be used for hostel purposes only if certain special repairs and improvements were carried out at an estimated cost of Rs. 17,000. The proposal has however been held up since 1929 partly owing to the delay in obtaining the plans and estimates for the work and partly owing to financial stringency. The scheme was placed before the Finance Committee as a Part II Scheme for 1935–36 but was placed in class III and no funds were provided. It was again placed before the Finance Committee as a Part II Scheme for 1936–37, but the Committee again placed it in class III and no provision was made in the current year's budget on its account for want of funds. The Executive Engineer has reported that the building is in a very bad state of repair; that the roof is liable to fall down at any moment; and that by postponing the repairs Government are running a grave risk of incurring extensive additional expenditure. Further, as additional accommodation is urgently required for the training school, the improvements to the hospital buildings to locate the hostel there should be carried out at the earliest possible date. It is expected that the work will be completed in two years. The scheme will be introduced in the current year after obtaining a supplementary grant for a token sum of Rs. 100 for the work under Grant XXIX—Civil Works—Works—Reserved and Transferred; the balance of Rs. 900 will be met from savings under the grant.

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(4)

(8) (*d*) *CONSTRUCTION OF A RESIDENCE FOR THE SUPERINTENDING ENGINEER, TANJORE CIRCLE, AT TANJORE.*

Grant number.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1936-37.
(1)	(2)	(3)	(4)
			RS.
XXIX. Civil Works—Works—Reserved and Transferred.	41. a. Civil Works—Provincial—Transferred—Original Works—Buildings—R. Civil Works.	Construction of a residence for the Superintending Engineer, Tanjore Circle, at Tanjore.	100

Explanatory note.

In February 1927 the Government approved an expenditure of Rs. 37,000 for the construction of a residence for the Superintending Engineer, Tanjore Circle. Before the work was taken up for execution the Government considered that the bungalow which was then occupied by the District Judge might, after the construction of a new residence for him, be converted for use as Superintending Engineer's residence. After some correspondence between the Superintending Engineer and the Chief Engineer plans and estimates for carrying out the necessary repairs to the old District Judge's bungalow were prepared and sent to the Chief Engineer. But the Chief Engineer who inspected the bungalow in August 1932 expressed the opinion that the building, however much improved, would be quite unsuited as quarters for the Superintending Engineer or an Executive Engineer.

The Superintending Engineer has been occupying the quarters intended for the Executive Engineer, Vennar division, since September 1931. It is reported that this bungalow has many disadvantages, is of very ordinary design and has not got all the convenience required for use as Superintending Engineer's residence. Moreover, the locality is reported to be bad, dirty, noisy and odoriferous on account of the adjacent groundnut factories, oil mills and the railway. The Executive Engineer, Vennar division, is also badly in need of Government quarters as it is difficult to get suitable bungalows in Tanjore and the provision of a new residence for the Superintending Engineer will make the present bungalow available for occupation by the Executive Engineer.

It is therefore proposed to construct at a cost of Rs. 38,300 a new bungalow for the Superintending Engineer on the Vallam road adjacent to the recently constructed quarters of the District Judge, on land which was acquired by Government many years ago for the construction of official residences.

As it is considered desirable that the quarters should be constructed as early as possible it is proposed to start the work in the current year by moving a demand for a supplementary grant for a token sum of Rs. 100 under Grant XXIX—Civil Works. The expenditure during the year is estimated at Rs. 3,000 and the balance of Rs. 2,900 will be met by reappropriation.

Appendix VII-A.

[Vide item IV-A at page 282 supra.]

Letter from His Holiness Shanmuga Desika Gnanasambanda Pandarasannadhi Avargal, Adhinakarthar of Dharmapuram Adhinam, Dharmapuram (via) Mayavaram, Tanjore district, to the President and Members of the Madras Legislative Council.

We are the Adhinakarthar of the Dharmapuram Adhinam which has 27 temples attached to it in the Tanjore district and elsewhere and owns and enjoys about 15,000 acres of inam lands wet and dry. We have been following the course of the proceedings relating to the Inams Bill and we have been associating ourselves with the endeavours of the Madras Presidency Inamdars Association in this matter. In addition to the case put forward by the association on behalf of all the inamdars including our mutt and the temples which own and enjoy many villages absolutely and with both warams, we wish to place the following few points of importance relating to this Bill for favour of your kind consideration and such actions as you may be pleased to take to remove the hardships that are bound to occur. In this we do not wish to cover the same ground as has been covered by the association or urge the general objections legal and otherwise to this Bill but wish to confine ourselves to placing before you the special hardships that this Bill is sure to inflict on religious and charitable institutions. In fact we are apprehensive that this Bill will hamper a good deal the smooth administration of these institutions on account of the difficulties and complications that this Bill is sure to bring about.

In these parts the inam grants to the religious and charitable institutions were made by ruling chiefs and sovereigns out of their private property. None of these inams originated as might have been in some places in irregular alienations by zamindars, etc., who therein had temporarily usurped the power of Government.

A good number of religious and charitable institutions are mainly supported by the inams that they possess. In fact the native Rajas, etc., that gifted such inams to the religious endowments have done so after calculating the needs and necessities thereof; while so if the proprietary right is now taken away and the cultivating tenant is given the rights of an occupancy tenant such religious endowments can hardly be kept on functioning.

These institutions have been for centuries in occupation and enjoyment of the lands in these inam villages and there has been no hitch or trouble till now.

As regards the charge of ill-treatment levelled against the inamdars we repudiate the same as unfounded and state that we have been all along getting on very well with each other in perfect harmony and

goodwill. On the other hand, the new Bill will certainly bring ill-feeling and constant disputes and troubles between the inamdars and the tenants besides unsettling the law that has been well settled now. The Bill will take away the kudivaram right from the inamdars and vest it in the cultivator on the plea of giving him fixity of tenure but there is no certainty that the occupancy rights will remain with him. Interested people whose aim is not peace or well-being of tenants may purchase from them the kudivaram right and become middle men with full right, the cultivator being in the same position as before the Bill. Ere long in the place of absentee inamdars there will be a class of absentee ryots and the actual cultivators will be exactly where they were and the only purpose achieved by the new Bill will have been that the inamdars had been deprived of their rights and in place of the peaceful enjoyment of lands and rights we are going to have these people litigating in Court the meaning of this new enactment and its implications.

In mutts and temples a number of festivals in honour of the presiding deities or the original spiritual heads are being celebrated all the year round. On such occasions the services of cultivating tenants are requisitioned. They bear the deities; they decorate the vahanams; they drag the cars and they serve in ever so many ways. They are an indispensable part of the machinery. They are no doubt paid well for their services in the shape of paddy and food. As it is, these cultivating tenants are now under an obligation to render such services. If they are now made occupancy tenants as it is proposed under the new Act then they will not do the services as before. What is enforceable now will no longer be possible, more so if the right happens to be purchased by and gets into the hands of people of other religions which is quite possible as such rights are transferable and heritable under the Act. It would be impossible to bring others for such services even from outside; and labour is always scarce and dear in these parts. Therefore the institutions intended for religious purposes will suffer. It will be impossible to carry on the day-to-day administration of the temples and mutts. Therefore the wishes of the original donors of inams will be entirely frustrated.

Once again we wish to reiterate the objection that there has been admittedly no demand for this legislation at least in these parts and the Government have not made any enquiry or obtained any materials to support any of their arguments in favour of this Bill and we venture to press again the demand for a thorough enquiry before this Bill is proceeded with further as through such an enquiry the Government will be in a position to know how these religious and charitable institutions stand in regard to their tenants.

Dealing briefly and broadly with the provisions of the new Bill as amended by the Select Committee we have to observe that it produces no safeguard for the religious and charitable institutions, that the procedure and rules of evidence relating to the proof of kudivaram rights are unduly discriminatory, harsh and unjust, and sure to defeat

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the just rights of these institutions and the provisions for very meagre compensation fixing the maximum at two and a half times the annual rent and fixing no minimum are not the result of due regard for the compulsory acquisition of valuable rights of the institutions and are sure to work injustice to them. Further the direct result of this Bill will be to force every inamdar to go to the special tribunal and fight his tenant within a stated period for pain of losing his rights for even the little compensation that is provided. In fact it is not the result of detailed enquiry and of due regard to the vested rights of the inamdars.

Whatever may be the necessity for the special procedure and rules of evidence in the case of inams owned by private individuals, there is no reason for applying the same rules and procedure in the case of lands owned by public institutions such as temples and mutts and these should be dispensed with in the case of these institutions.

In the Madras Hindu Religious Endowments Act very stringent provisions are made in order to avoid alienations of immovable properties (vide section 44-B, 76, etc.). But it is clean forgotten here. Conferring occupancy right in the case of tenants who had never had it, no doubt obtaining a nominal compensation is certainly alienation of certain rights of property possessed by these institutions. Simply because it has legislative sanction behind it, parting with proved kudivaram right cannot be said to be either necessary or beneficial to the institution. It would be something if the compensation provided for is adequate. The compensation is neither reasonable nor adequate. Since it is a Government measure, the institutions become helpless. These lands should be outside the scope of this measure or at least adequate compensation, say that payable under Land Acquisition Act should be paid.

Thus the new Bill is objectionable in many respects and will not really serve any useful purpose as it is claimed it is intended to serve and will serve. On the other hand the institutions will undergo very many hardships on account of this new Bill, chief among them being:—

(a) The capital value of the property will be diminished by at least 50 per cent and the income also will be reduced.

(b) These institutions will have neither the option nor the incentive for changing the nature of the crops according to changed conditions or for adopting improved methods of cultivation and the help which the cultivator was having from the inamdar in the matter of seeds, bulls and other things will not be available to him, with the result of no prospect of any increase in the income.

(c) The intimate touch and the harmonious relationship that exist between the institutions and their tenants will be gone and instead there will come about between them jealousy, distrust and consequent bad blood.

(d) The institutions will very soon lose the customary services rendered to them by the tenants with the result that the administration of the institutions and the conduct of the festivals and

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other necessary functions in them will be greatly hampered and in course of time may even come to a deadlock.

(*e*) The expenditure will increase.

Before we conclude we also wish to submit that this Bill involving questions of land tenure of far reaching importance and consequence is *left over to the new reformed legislature* with provincial autonomy to be considered by them along with the questions affecting the other class of landholders in the presidency and legislated upon, if necessary in a uniform and appropriate manner.

We therefore pray that the Government may be pleased to drop this Bill or adjourn the further consideration of the Bill till they have conducted a thorough enquiry in regard to this question and modified the Bill suitably to the results of such an enquiry or at least exclude from the scope of this Bill all those inam lands belonging to the religious and charitable institutions which were not covered by the original Act I of 1908.

We may also here say that we have no private ends to serve by opposing this measure, and as this piece of legislation is detrimental to the interests of the mutt and temples, we are obliged to point out the consequences of such a measure.

Appendix VII-B.

[Vide item IV-A at page 282 supra.]

The following is an abstract of the petition presented by Mr. U. C. Subrahmanya Bhatt, on behalf of the Pandarasannathi of Dharmapuram:—

The petitioner points out that he wishes to place before the hon. House the special hardships that this Bill will impose on religious and charitable institutions. These inams were granted by ruling chiefs and sovereigns out of their private property to religious and charitable institutions after calculating the needs and necessities thereof. Most of these institutions are mainly supported by such inams and that if proprietary right is taken away and the cultivating tenant is given the right of occupancy, these institutions will not be able to function and the wishes of the original donors of these inams will be frustrated. There has been no ill-feeling between the inamdars and the tenants so far. This Bill it is feared will create ill-feeling and bad blood between them. There is no demand for this legislation at any rate in that part of the Presidency wherefrom the petitioner comes, and the Government would do well to institute a thorough inquiry before proceeding with the Bill.

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Coming to the provisions of the Bill the petitioner points out that the rules of evidence relating to the proof of kudivaram right are unduly harsh and unjust and that the maximum of compensation of two and a half times the annual rental value for the acquisition of the kudivaram right is very inadequate. He prays that the provisions of the Bill should not be applicable to the lands owned by religious and charitable institutions and if that prayer is not complied with, it should be provided that the quantom of the compensation should be the same as that payable under the Land Acquisition Act.

APPENDIX VIII.

[Vide item V (2) at page 297 supra.]

NOTIFICATION.

Fort St. George, July 28, 1936
(G.O. Ms. No. 1538, *Home).*

In exercise of the powers conferred by sub-section (1) of section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931) the Governor acting with Ministers is hereby pleased to cancel Home Department Notification No. 272, dated the 20th May 1936, published at page 905 of Part I of the *Fort St. George Gazette*, dated the 23rd June 1936, reducing the rate of tax payable in respect of the four motor vehicles belonging to the Pudukkottai Darbar specified in the said notification.

H. M. HOOD,
Secretary to Government.

APPENDIX IX.

[Vide item V (3) at page 297 supra.]

Government of Madras, Finance Department, Press Communiquè, dated Fort St. George, the 27th August 1936.

SCHEMES FOR THE BENEFIT OF RURAL AREAS IN PROGRESS AND UNDER EXAMINATION BY GOVERNMENT.

The Government have had the question of rural reconstruction under their consideration for a considerable time. With a view to evolving a co-ordinated scheme of rural development, the Government established the Provincial Economic Council about a year ago and have established district economic councils in each district recently. The latter have already commenced to function in most of the districts.

2. Some of the more important measures for the benefit of the rural population now in progress are:—

(1) *Relief of rural indebtedness—(a) Land mortgage banks.*—In addition to the Central Land Mortgage Bank, which is subsidised in various ways, there are now 80 primary land mortgage banks subsidised by Government operating in rural areas. The Government propose to subsidise the establishment of 14 more primary banks in the current year, as recommended by the Finance Committee—vide item 13 in paragraph 4 below.

(*b*) *Direct loans by Government to agriculturists.*—The Agriculturists' Loans (Madras Amendment) Act and the rules thereunder enabling the grant direct by Government of loans for relief of indebtedness of agriculturists were brought into force in October 1935. The essential feature of the scheme is the scaling down of debt. The scheme was started in parts of the Madurantakam taluk in the Chingleput district and the Ramachandrapur and Rajahmundry taluks in the East Godavari district and a sum of Rs. 1·90 lakhs has been advanced as loans in these two districts up to the 15th July 1936 (·85 lakh last year and 1·05 lakhs this year).

As a result of experience gained in these districts, the rules have been amended so as to ensure, as the minimum, the scaling down of debt to principal plus 5 per cent simple interest or twice the principal, whichever is less.

The scheme has been extended to certain areas (mostly those not served by the land mortgage banks) in the districts of Kistna, Kurnool, Anantapur, Salem, South Arcot, Trichinopoly, Malabar and South Kanara.

A staff consisting of 10 deputy collectors, 80 clerks and 70 peons has also been sanctioned, the annual average cost of the staff being about Rs. 1;10 lakhs, exclusive of expenditure on travelling allowance.

The progress up to the 15th July 1936 has been as follows:—

(1) Number of applications received	2,682
(2) Number rejected after preliminary enquiry ...	754
(3) Number in which enquiries have been completed	1,273
	RS. LAKHS.
(4) Amount of debt legally due in respect of item (3)	6·30
(5) Amount as scaled down	5·06
(6) Reduction by scaling down and its percentage to the legal debt	1·24 (about 20 per cent)

Provision has also been made in the budget for the current year for the disbursement of loans up to Rs. 20 lakhs. A larger amount will be made available, if found necessary.

(*c*) *Debt conciliation boards.*—The Madras Debt Conciliation Act, 1936, the object of which is to reduce the burden on agriculturists of their indebtedness by amicable settlement with their creditors through the agency of debt conciliation boards, received the assent of the Governor-General in April last. The framing of rules to carry out the purposes of the Act is under the active consideration of the Board of Revenue, and the Government hope to bring the Act into force on receipt of the Board's draft rules. Apart from the expenditure that the Government may have to bear on account of these conciliation boards, the measure will

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inevitably reduce the revenue from judicial stamps as has been found to be the case in the Punjab, the United Provinces and the Central Provinces, where similar measures are in operation, since disputes will ordinarily be settled out of court by these boards.

(2) *Facilities for the marketing of rural produce.*—(*a*) In addition to the usual forms of expenditure on roads and bridges, the Government have included in the current year's budget a special provision of Rs. 10 lakhs for special repairs to important marketing roads, out of which a sum of Rs. 7·57 lakhs has already been distributed to district boards.

(*b*) A loan of Rs. 40,000 has already been sanctioned in the current year to three loan and sale co-operative societies for the construction of godowns for the storage of the agricultural produce of its members until prices are favourable for their sale.

Note.—A proposal for subsidising the organization of a Provincial Marketing Co-operative Society for stimulating and co-ordinating the work of the various loan and sale societies has been recommended for acceptance by the Finance Committee—*vide item 12 in paragraph 4 below.*

3. The measures mentioned above represent those financed from provincial revenues. In addition, the following schemes are financed from grants received from the Government of India last year:—

(1) Distribution of an additional 3,600 lb. of quinine in rural areas affected by malaria.

(2) Anti-malarial operations in Rameswaram, the coastal area between Madras and Ennore, Sriharikota and the Gudur taluk in the Nellore district.

(3) Subsoil drainage in Chintapalle in Gudem taluk, Vizagapatam Agency, and in Gudalur, Nilgiris.

(4) Construction of bore-hole latrines in 2,700 villages (at 100 villages in the area of each district board).

(5) Intensive health propaganda in 25 villages in the Poonamallee area of the Chingleput district.

(6) Construction of wells for water-supply.

(7) Construction of village roads.

(8) Development of handloom weaving.

(9) Assistance to sugarcane growers.

(10) Co-operative education and training.

(11) Development of the sericultural industry.

Note.—Items (2) to (7) are financed from the Government of India's grant of Rs. 14 lakhs for rural uplift given last year.

4. The schemes mentioned below were placed before the Finance Committee and were recommended by it for acceptance on the 17th August; they will be given effect to shortly.

(1) Employment of additional agricultural demonstrators.

(2) Employment of additional agricultural maistris.

(3) Printing, etc., of agricultural exhibition posters.

(4) Training in agriculture for sons of landowners.

(5) Opening paddy stations in Nellore and Tinnevelly.

(6) *Extension of the Guntur agricultural station.*

(7) Experiments regarding environmental conditions for plant growth.

(8) Meteorological observatory at the Central Farm, Coimbatore.

(9) Additional veterinary touring assistants for control of contagious diseases.

(10) Equipment of a second motor-van for veterinary propaganda work.

(11) Investigation of the conditions of cattle pentas in the Nallamalais in Kurnool and Cuddapah districts.

(12) Organization of a Provincial marketing co-operative society.

(13) Organization of additional primary land mortgage banks.

(14) Organization of the ghee department of the Madras Co-operative Milk Supply Union.

(15) Construction of store sheds, etc., in the Ponnani fish-curing yard for the benefit of curers.

(16) Construction of store-sheds, etc., in the Puthankadapuram and Gangoli fish-curing yards.

(17) Additional provision for grants for public libraries.

(18) Grant for water-supply in Vayalpad panchayat.

(19) Providing stem shutters and locking arrangements to the sluices in the Kalingarayan channel.

(20) Providing stem shutters and locking arrangements to the sluices in the Arkenkota channel.

(21) Providing stem shutters and locking arrangements to the sluices in the Tadapalli channel.

(22) Improvements to the Yenamadurru drain—Godavari western delta.

(23) Construction of an anicut across the Duvvaleru in the Kurnool district.

(24) Reconstructing the bridge at mile 27/1 of the Injaram canal near Venkatayapalem on the Cocanada-Kotipalli road.

(25) Remodelling the sluices of the Odambokkiyar and construction of new regulators.

(26) Staff for investigation of tanks in the Periyar system.

(27) Remodelling the Bandada channel in West Godavari district.

5. Besides the schemes mentioned in the preceding paragraphs the Government have under examination several other proposals of which the following are the chief ones:—

(1) Cinema equipment for agricultural propaganda.

(2) Propaganda for popularizing improved agricultural implements.

(3) Additional equipment for agricultural depots.

(4) Cane crushing machinery for the Aduthurai station.

(5) Establishment of a new livestock research station, increase of cattle in other research stations and improvement of cattle by distribution of stud bulls, etc.

(6) Grant of premia for seed production.

(7) Study of agricultural meteorology relating to insect pests.

(8) Establishment of model creameries.

(9) Establishment of a model dairy.

(10) Establishment of model poultry breeding stations.

(11) Investigation of poultry diseases.

(12) Survey of production, marketing and consumption of cotton handloom products.

(13) Rural pisciculture.

6. In regard to the additional Rs. 15 lakhs for rural uplift given by the Government of India, that Government have stated that 80 per cent of it and of the balance of last year's grant, if any, available for reallocation should be allocated to the several districts on a rural population basis, that the remainder should be made available to specially needy districts or to special schemes to meet special local exigencies and that the execution of any scheme in any rural area should be definitely dependent on a contribution of not less than one-third of the cost either in cash or in kind (by labour or the like) from the village or other area which is to benefit by the scheme.

This Government propose to accept these conditions.

The Government of India have further defined the nature of the schemes that may be financed from the grant and have suggested that their execution should be entrusted to district officers. The Madras Government propose to entrust Collectors of districts with the execution of schemes in consultation with the recently constituted District Economic Councils and have provisionally selected schemes falling in the categories mentioned below:—

I. Improvement of rural water-supply.

II. Improvement of rural sanitation.

III. Encouragement and development of loan and sale co-operative societies by making free grants towards part of the cost of godowns (and for village hall *cum* reading room, if so desired).

IV. Improvement of village communications, including the bridging of irrigation canals and channels where there are no roads.

Before recommending these categories to the Government of India for acceptance, this Government propose to invite suggestions from Collectors and District Economic Councils.

C. E. JONES,
Secretary to Government.

LEGISLATIVE COUNCIL OF THE GOVERNOR OF OF MADRAS.

Saturday, the 29th August 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT:

Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, K.C.I.E., The Hon. the.
Rajan, The Hon. Mr. P. T.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Miran Sahib Bahadur.
Alagannan Chettiyar, Rao Sahib A. S.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani Sahib Bahadur, S. M. K.
Birley, Mr. F.
Dalavoi, Mr. R.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. G. F. F.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Harischandrudu Nayudu, Mr. A.
Hodgson, Mr. G. H.
Hood, C.I.E., I.C.S., Mr. H. M.
Indrayya, Mr. C.
Iswaran Pillai, Mr. I. C.
Jagannatham, Mr. H. M.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Mahabaleswarappa, Mr. Y.
Mahboob Ali Baig Sahib Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muniswami Pillai, Rao *Sahib* V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthiah Chettiyar of Chettinad, Rajkumar M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu *Pillai*, Mr. A. Pl. N. V.
Nanjappa Bahadur, Rao Bahadur Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliar, Diwan Bahadur C.
Nayagam, Mr. C. D.
Obi Reddi, Mr. C.
Palat, Mr. R. M.
Parthasarathi Ayyangar, Mr. C. R.
Patro, K.C.I.E., Sir A. P.
Pattabhiramayya, Mr. K.
Pattagar of Palayakottai.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Diwan Bahadur T. A.
Ramalinga Reddi, Mr. C.
Ramamurti, Rao *Sahib* Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Ratnavelu Thevar, Mr. P.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.
Sandana Gounder, Mr. I.
Schamnad, Khan Bahadur Mahmud.
Scott Brown, I.C.S., Mr. W.
Sesha Reddi, Rao Bahadur B. P.
Shaiku Mohamad Laljan Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Sivasubrahmanya Ayyar, Mr. K. S.
Smith, Mr. J. M.
Sreshta, Mr. M. S.

PRESENT—*cont.*

Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thangal, Mr. P. M.
Thomas, Mr. Daniel.
Uzielli, C.I.E., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Rao Sahib M.
Venugopala Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.
Zamindar of Tekkali, Senior.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Administration of Justice

Restrictions on the drawal of increments by District Munsifs promoted as Sub-Judges.

* 110 *Q.*—Mr. MAHBOOB ALI BAIG : Will the Hon. the Law Member be pleased to state—

(*a*) whether it is a fact that District Munsifs even when they are promoted as Sub-Judges are not allowed to draw their increments as Sub-Judges until they have put in 13 years of permanent service as District Munsifs;

(*b*) whether it is a fact that in 1933 when the Government decided as to which class of officers the new scales of pay should apply, they decided that the District Munsifs and Sub-Judges belonged to one cadre and that the then acting District Munsifs should draw old scales of pay even on promotion as Sub-Judges; and

(*c*) whether it is true that most of the District Munsifs selected in 1927 had long periods of reversion, owing to the abolition of several courts unlike those selected either in 1926 or in 1929 or subsequently and whether it is a fact that at the rate at which retirements are now occurring these officers even when they are promoted as Sub-Judges will not be allowed to draw increments as Sub-Judges for even four or five years owing to the operation of the 13 years' rule?

A.—(*a*) Yes. The rule regarding 13 years' service as District Munsif does not apply to officers on the revised scale of pay.

(*b*) Yes. District Munsifs and Sub-Judges belong to one service, but not to one cadre.

(*c*) The Government have no information.

Appointment of the members of the Viswa-Brahmana community as Honorary Bench Magistrates and Special Magistrates.

* 111 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI : Will the Hon. the Law Member be pleased to state—

(*a*) how many applications were received by the Government, districtwar, ever since 1931, from the members of the Viswa-Brahmana community of the City, Northern, Southern and Western districts

requesting to appoint them as Honorary Bench Magistrates, Special Magistrates, Jurors in the City and the mufassal; and

(b) of these, how many were appointed; who they are and to which places they belong?

A.—The Government consider that the time and labour involved in compiling the information will be out of proportion to any useful public purpose that might be served.

Enforcement of the Debt Conciliation Act and the Money-lenders Act.

* 112 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(a) at what stage the Debt Conciliation Act and the Money-lenders Act are;

(b) whether the assent of His Excellency the Governor and His Excellency the Viceroy has been got by the Government; and

(c) when they are likely to be brought into effect?

A.—(a) & (c) The Madras Debtors' Protection Act, 1934 (VII of 1935), has been brought into force with effect from the 15th January 1936. The Madras Debt Conciliation Act will be brought into force as soon as rules under section 29 of the Act have been framed. The drafting of rules has been taken up but not yet completed.

(b) Yes.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, when the drafting of the rules will be completed?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"It is under the active consideration of the Government."

Proposals for bringing into force the Debt Conciliation Act, 1935.

* 113 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state—

(a) when the Government propose to bring into effect the Debt Conciliation Act, 1935;

(b) whether rules have been framed and published for public criticism; if not, why not; and

(c) what the proposals of the Government are for the constitution of debt-conciliation boards in this Presidency?

A.—(a) & (b) The Madras Debt Conciliation Act, 1936, will be brought into force as soon as rules under section 29 of the Act have been framed. The drafting of rules has been taken up, but has not yet been completed.

(c) The question will be considered when the rules are framed.

Mr. P. V. KRISHNAYYA CHOUDARI :—" Will the Hon. the La Member be pleased to state whether these Boards will be constituted early as possible so as to give the facilities and the benefit of the A which we passed in so much haste? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" I can only sa Sir, that the Government is as anxious as anybody else to brin relief to the people as early as possible and to see that no time being wasted. As soon as the rules are framed, the Boards wi be set up."

Mr. P. V. KRISHNAYYA CHOUDARI :—" As nearly a year has elapse since the passing of the Act, I want to know if the Government wi expedite the issue of the rules? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" They canno I am afraid, be brought into existence by the magician's wand.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—" May I knov Sir, whether in applying this Act, the famine districts would also b taken note of? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" Certainly."

Measures for the enforcement of the Debt Conciliation Act.

* 114 *Q.*—Diwan Bahadur T. A. RAMALINGAM CHETTIYAR : Will th Hon. the Law Member be pleased to state—

(*a*) what steps have the Government taken to bring the Deb Conciliation Act into force;

(*b*) when the Boards under the Act will be appointed and where and

(*c*) what is the reason for the delay?

A.—The attention of the hon. Member is invited to the answe to question No. 113.

Publication of the opinions elicited on the Artisans' Bill (Bill No. 24 of 1932) and the Artisans' Protection Bill.

* 115 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI : Will the Hon the Law Member be pleased to state—

(*a*) whether the attention of the Government has been drawn t the resolution adopted at the third session of the All-India Viswa karman Liberal Federation held last year at Cannanore, Malaba district, requesting them to circulate the Artisans' Protection Bill fo public opinion;

(*b*) whether the Government will be pleased to place on the tabl of the House, copies of remarks of the Labour Commissioner, Directo of Industries and the Inspector of Factories and all other officers wh

have submitted their opinion both on the Artisans' Bill (Bill No. 24 of 1932) and on the Artisans' Protection Bill which is ready for introduction in the local Legislature;

(c) whether any other individuals or associations or bodies have been consulted in regard to the said Bills;

(d) if so, whether copies of opinions of the said individuals or bodies on the aforesaid Bills will be placed on the table of the House; and

(e) what orders the Government have passed on these representations?

A.—(a), (b) & (c) No.

(d) & (e) Do not arise.

Land Revenue Administration

Extent of irrigation under the Cauvery-Mettur Project in the Tanjore district.

* 116 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(a) at what stage the development of the Cauvery-Mettur system in Tanjore area is;

(b) what the area and extent yet to be served by this scheme in Tanjore district is;

(c) what the water-rate originally proposed to be levied for Tanjore under this scheme is and what the rates are that are actually being levied in that area now; and

(d) whether there are any proposals to increase the present rates and, if so, by how much and when?

A.—(a) & (b) The attention of the hon. Member is invited to the statement [a] attached. The Government have no further particulars.

(c) The attention of the hon. Member is invited to G.Os. Nos. 1853, Revenue, dated 5th September 1932, and 1425 (29-S), Revenue, dated 2nd July 1936. The Government Orders have been placed at the disposal of the Press.

(d) There are no such proposals.

Mr. K. A. NACHIYAPPA GOUNDER:—"In view of the fact that for 383,000 acres which is the total extent to be ultimately served by the Project, even as per the forecast of 1935–36, only 119,300 acres are proposed to be brought under irrigation, may I ask the Hon. Member whether he would consider the feasibility of extending the irrigation to Salem district?"

The Hon. Sir CHARLES SOUTER:—"It has been decided already not to extend it to Salem district. I do not see that Salem accounts for any difference in the forecast."

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[a] Printed as Appendix I on page 409 infra.

Mr. K. A. NACHIYAPPA GOUNDER :—" My point is this, Sir. The Government expected a good deal; but up to now they have not come up in any way to their expectations. I ask whether it would not be advisable for the Government to revise their opinion? "

The Hon. Sir CHARLES SOUTER :—" I may mention that we have quite recently granted some concessions in the matter of water-rate to be in force for the next three years. I trust that this concession will result in a very considerable extension of the cultivation under the Cauvery."

Non-deduction of the suspended revenue from the instalmental recoveries of kist in Belal village, South Kanara.

* 117 *Q.*—Mr. U. C. SUBRAHMANYA BHATT : Will the Hon. the Member for Revenue be pleased to state whether it is a fact that the amonnt of revenue suspended was not deducted from the assessment due from pattadars out of any of the four instalments of kist in Kasba Belal village of Puttur taluk, South Kanara district?

A.—The Government have no information.

Delay in the issue of pattas in South Kanara after the resettlement.

* 118 *Q.*—Mr. U C. SUBRAHMANYA BHATT : Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether pattas have been issued to the pattadars after the resettlement in South Kanara; if not, why they have not been issued till now;

(*b*) whether it is a fact that this non-issue of patta has caused a lot of confusion in the collection of land revenue in this district during the last year's kist collection and also this year's, especially in Puttur taluk;

(*c*) whether any complaints have been received by the Collector or Revenue authorities of South Kanara regarding the confusion in collection; if so, what action has the Collector taken on the same and what the nature is of such action;

(*d*) whether it is a fact that in a large number of cases more than the legal collections were made by the Revenue authorities; and

(*e*) what action the Government have taken or propose to take in the matter?

A.—(*a*) Apart from the rough pattas which are issued during the course of resettlement work, no pattas are issued after resettlements. Fresh pattas are issued only when the ryots concerned apply for them.

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(b) The attention of the hon. Member is invited to the answers given to question Nos. 825 and 837 at the meetings of the Legislative Council, dated the 26th February 1936, and 28th February 1936, respectively. The Government have no other information.

(c) & (d) The Government have no information.

(e) The question does not arise.

Proposals to levy water-rate on the paimash wet lands in the proprietary and inam estates irrigated by the Cauvery in Namakkal taluk.

* 119 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(a) at what stage the proposals for the levy of water-rate on paimash wet lands in the proprietary and inam estates in the Cauvery irrigated area in Namakkal taluk of Salem district are;

(b) whether the opinion of the Advocate-General has been obtained and, if so, whether a copy of it will be placed on the table; and

(c) what further action the Government propose to take in the matter?

A.—(a) The subject is still under consideration. Pending a final decision in the matter instructions have been issued that water-cess should be charged at the prescribed rates, but that the actual collection of the amounts should be postponed.

(b) The answer to the first part of the question is in the affirmative; to the second part, in the negative.

(c) None, until the whole question has been considered by the Government.

Mr. K. A. NACHIYAPPA GOUNDER:—" In answer to clause (a) it is stated that the water-rate should be charged at the prescribed rates, but that the actual collection of the amounts should be postponed. Am I to understand, Sir, that the demand should be made and kept ready for collection in the case of an order to that effect? "

The Hon. Sir CHARLES SOUTER:—" This is, as the lawyers would say, from abundant caution."

Mr. K. A. NACHIYAPPA GOUNDER:—" The Government have replied in the negative to the second part of clause (b) of the question. May I know what difficulty there is for placing the opinion before us so that we may also know something about it? "

The Hon. Sir CHARLES SOUTER:—" The difficulty is the same as a private person might have when he consults his lawyer."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. Member whether even the present reduced rates are much higher when compared to the rates which have been already existing in the area?"

The Hon. Sir CHARLES SOUTER:—"They are 25 per cent higher,"

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know if the increase is justified?"

The Hon. Sir CHARLES SOUTER:—"The Government think so, Sir."

Reduction of the water-rate in the Cauvery irrigated area of Namakkal taluk.

* 120 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the new water-rate levied in the Cauvery irrigated area in Namakkal taluk of Salem district in the course of the year 1934 has been reduced permanently;

(*b*) if so, whether a copy of the order passed in the matter will be placed on the table; and

(*c*) what the rates ruling in that area were prior to this levy of 1934; how long those rates were in existence, and what the reasons are for the rise in 1934?

A.—(*a*) & (*b*) In G.O. No. 1288, Revenue, dated 15th June 1936, the Government have reduced the ultimate rates of water-cess for the irrigation with Cauvery water of dry lands in *ryotwari* and *proprietary* villages in the Salem district. The Government Order has been placed at the disposal of the Press. The question of the levy of water-cess on proprietary and minor inam wet lands irrigated with Cauvery water is under the consideration of the Government.

(*c*) The attention of the hon. Member is invited to the answers given to clauses (*c*) and (*d*) of question No. 426 on 22nd January 1935.

Course of an unauthorized channel running through S. Nos. 12/B-1 and 15/1, Karikulavakkam, Tiruvallur taluk.

* 121 *Q.*—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Member for Revenue be pleased to lay on the table of the House the report called for in answer to question No. 836. dated 28th February 1936?

A.—A copy * of the report is annexed to this answer.

* Printed as Appendix II on pages 409–410 infra.

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Assignment of lands on darkhast to the artisan classes.

* 122 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the district-war extent of cultivable land lying uncultivated in this Presidency;

(*b*) whether representations have been received by the Government from the members of the Viswa-Brahmana community urging the immediate necessity of revising dharkast rules so as to grant cultivable waste lands and house-sites liberally wherever possible to the poor artisans in general and Viswa-Brahmans in particular, to ameliorate their deplorable condition;

(*c*) if so, what orders the Government passed on these representations;

(*d*) the number of darkhast applications submitted to the Government by the members of the Viswa-Brahmana community, district-war, since 1931, for waste lands and house-sites under the ordinary darkhast rules, in consideration of their poverty;

(*e*) the number of such grants, if any, and the extent covered by such assignments;

(*f*) whether it is a fact that the question of assigning blocks of disafforested lands to the artisans, in general, and the members of the Viswa-Brahmana community, in particular, under the ordinary darkhast rules so as to help the people in home industries is under re-examination by the Government; and

(*g*) if so, what the finding is?

A.—(*a*) The attention of the hon. Member is invited to the figures in column 6 of Appendix II on page 10 of the Season and Crop Report of the Madras Presidency for fasli 1344, a copy of which is available in the Secretariat Library.

(*b*) No.

(*c*) Does not arise.

(*d*) The information asked for by the hon. Member is furnished below:—

Name of the district.	Number of members who put in applications.	Number of applications.
North Arcot	4	19
Vizagapatam	1	3
West Godavari	1	1
	6	23

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(e) The Government have not made any grants to members of the Viswa-Brahmana community.

The Government have no information whether any such grants have been made by the Revenue officers in the districts.

(f) No.

(g) Does not arise.

Appointment of the members of the Viswa-Brahmana community as karnams and assistant karnams.

* 123 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have received representations from the members of the Viswa-Brahmana community since 1931 to appoint them as karnams and assistant karnams irrespective of hereditary qualification; and

(b) what orders were passed on these representations?

A.—(a) A memorial on this subject was received in 1931.

(b) Appointments to village offices in most districts are governed by the rules of succession prescribed by Statute. No action was, therefore, taken on the memorial.

Proposal for the transfer of the control of village service inams to Village Panchayat Boards.

* 124 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have received copy of a resolution which was adopted at the Conference of the East Godavari District Panchayat Boards held on 4th November 1934, at Alamuru, Ramachandrapur taluk, requesting them to empower every Village Panchayat Board to exercise control over village service inam-holders for proper management in rendering service in the village;

(b) whether the Government have received any petition from Brahma Sri Penumancha Mabadewudu Acharyulu Garu on behalf of the blacksmith and carpenter service inam-holders of the locality about the end of 1934 protesting against the said resolution on the grounds that this would be a very highly objectionable and unjust advantage conferred on the panchayat boards at the expense of the service inam-holders;

(c) whether it is a fact that the Government are contemplating to transfer their right of management of these inams into the hands of the panchayat boards;

(*d*) whether the Board of Revenue was consulted on this subject efore the Government have arrived at definite conclusions;

(*e*) if so, what the nature is of the remarks of the Board of Revenue n this matter; and

(*f*) at what stage the question now stands?

A.—(*a*), (*b*) & (*c*) The answer is in the negative.

(*d*) *to* (*f*) Do not arise.

Employment of ex-army men and their sons.

* 125 *Q.*—Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur: Vill the Hon. the Member for Revenue be pleased to state the number f applications received from the ex-army men and their sons and the umber successful with their names as—

Copyists, duffadars, peons in the Revenue Department and peons, rocess-servers, amins in the District Munsif's and District Judge's ourts, as police constables, forest guards and as police constables in ıe Salt and Abkari Departments, in each district of the Presidency ır the last five years—the total filled up by them during the period, .so the number of ex-army men and their sons in the waiting list, if ıy?

A.—The collection of this information will involve an amount of labour which in the opinion of the Government will be quite disproportionate to any useful purpose which may be served.

Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur:—"Are ıe Government aware that many applications are submitted by x-army men for appointments but they are merely rejected on the round that there is no vacancy, and that nothing further is done ı the matter? May I know what the Government propose to do in ıe matter?"

The Hon. Sir CHARLES SOUTER:—"The Government have no information on the facts stated by the hon. Member."

Public Service

Recruitment of Vannikula Kshatriyas to the various services since the constitution of the Madras Services Commission.

* 126 *Q.*—Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur: Vill the Hon. the Member for Revenue be pleased to state the number applications received from the Vannikula Kshatriya candidates and ıe number of successful candidates with their names for appointment

in the following ever since the creation of the Public Service Commission in the Presidency and also the total number of vacancies in each filled up by them—

(1) as clerks in the ministerial service in (*a*) the Revenue, and (*b*) Judicial Departments, (2) as (*a*) Deputy Superintendents of Police, (*b*) Police Sub-Inspectors, (3) Forest Officers, (4) Sub-Registrars, and (5) District and Sessions Judges.

A.—The collection of this information will involve an amount of labour which in the opinion of the Government will be quite disproportionate to any useful purpose which may be served. The hon. Member may address the Commission if he so desires.

Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur:—" The Government know, Sir, that so many appointments are being made by them in the various departments and especially in the Local Self-Government Department, i.e., District Panchayat Officers and Commissioners of . . . ? "

The Hon. the PRESIDENT:—" The hon. Member has to ask for information and not to give it as he is doing now."

Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur:—" May I know, Sir, whether any candidate belonging to the Vannikula Kshatriya community was appointed to any of the posts? "

The Hon. Sir CHARLES SOUTER:—" As the answer indicates, it is a matter for the Madras Services Commission and I should be glad if the hon. Member gets this information from the fountain head."

Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur:—" It is very hard to get the information even from the Government. Do they believe that the Public Services Commission would furnish all the information? "

The Hon. Sir CHARLES SOUTER:—" I am sure the Services Commission will treat the hon. Member with every consideration."

Representation from Army men in regard to age-limit for entertainment in Subordinate Service on leaving the army.

* 127 *Q*.—Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur: Will the Hon. the Member for Revenue be pleased to state whether the Government have received any representation from the army men regarding the age-limit for appointment in the subordinate service after their leaving the army and their appearance before the Public Service Commission for selection; if so, what action has been taken on such representation?

A.—The attention of the hon. Member is invited to this Government's letter to him, No. 322, Public (Services), dated 12th February 1936, a copy [a] of which is laid on the table. A

[a] Printed as Appendix III on page 411 infra.

representation was subsequently received from D. T. Rajamanickam on behalf of ex-army men requesting among other things that ex-army men might be exempted from the educational examination and the age-bar and from selection by the Commission. The Government declined to grant the requests.

Rao Bahadur Subadar Major S. A. NANJAPPA Bahadur:—" May I know whether Government have received any application for exemption from age-limit for entry into Government service from one Narayanaswami, through the Officer Commanding, Wazirastan district, Dehra Ismail Khan? "

The Hon. Sir CHARLES SOUTER:—" The Government are not aware of it, Sir."

Famine Relief Fund

Taxation towards the maintenance of the Famine Relief Fund.

* 128 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Finance be pleased to state—

(*a*) when the Famine Relief Insurance Fund was first inaugurated;

(*b*) whether any special taxes were imposed for the starting of the said fund, and if so, what they were; and

(*c*) whether the said taxes are still earmarked for the said fund; if not, why not?

A.—(*a*) In the year 1921–22.

(*b*) No.

(*c*) Does not arise.

State of the Famine Relief Fund during the last ten years.

* 129 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Finance be pleased to state—

(*a*) the amounts added every year during the last ten years to the Famine Relief Fund, (i) for purposes of relief, (ii) for purposes of protective works; and

(*b*) the total amount now available to the credit of (i) famine relief, (ii) famine protective works?

A.—(*a*) The amounts added to the Fund from 1926–27, inclusive of the interest on the balances, were as follows:—

Year.	LAKHS. RS.
1926–27	8·15
1927–28	7·73
1928–29	4·65
1929–30	4·78
1930–31	5·57
1931–32	3 15
1932–33	2·51
1933–34	1·90
1934–35	1·67
1935–36	Nil.

They were not earmarked for any specific purpose.

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(*b*) Rupees 44·49 lakhs on the 31st March 1936 for the purposes of the Fund as specified in Schedule IV to the Devolution Rules.

Mr. A. RAMAKRISHNA REDDI:—"May I know what amount was spent for famine relief in the famine district of Anantapur?"

The Hon. Sir GEOFFREY BRACKEN:—"17 lakhs."

Suspension of the annual contribution to the Famine Relief Fund.

* 130 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Finance be pleased to state—

(*a*) whether the annual contribution to the Famine Relief Fund every year was ever suspended during the past fifteen years; and

(*b*) if it was so suspended, what was the reason for such suspension?

A.—(*a*) & (*b*) Yes, from 1932–33 onwards, as the balance in the fund exceeded Rs. 40 lakhs—vide paragraph 5 of Schedule IV to the Devolution Rules.

Mr. G. RAMESWARA RAO:—"I see from the answer that from 1932 onwards no contributions were made to the Famine Relief Fund. I know it is only discretionary. But may I know why the Government have thought it fit not to add anything to the fund by way of annual contributions though it is not obligatory on them to do so?"

The Hon. Sir GEOFFREY BRACKEN:—"The Government considered that 40 lakhs was a sufficient sum in reserve for famine."

Mr. G. RAMESWARA RAO:—"May I ask the Hon. the Finance Member whether it is not part of the purpose of the Famine Relief Fund to be used for starting protective works? Do the Government really think that there is no need for starting protective works on a larger scale?"

The Hon. Sir GEOFFREY BRACKEN:—"There is no point in putting the money in the fund and then spending it on protective works; it can straightaway be debited to the revenue account."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I know whether it is not desirable to give some relief to persons who have been suffering from takkavi loans in the distressed districts?"

The Hon. Sir GEOFFREY BRACKEN:—"I do not know what suffering the agriculturists undergo from agricultural loans."

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Reforms

Preparation of the preliminary electoral rolls for the Legislative Assembly and the Legislative Council.

* 131 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Finance be pleased to state—

(*a*) how many general orders have been issued in the matter of preparation of lists of literate voters as well as other voters;

(*b*) whether copies of them will be placed on the table;

(*c*) when the preliminary list of voters for the Provincial Assembly and Council is likely to be published and when the final list is to be out;

(*d*) at what price the voters' list is to be sold and on what principles the prices are to be fixed;

(*e*) whether steps have been taken to group the names of voters under each hamlet in a village or under each street in a town in the voters' list; and

(*f*) if so, what and if not, why not?

A.—(*a*) & (*b*) General circulars to Collectors and other registration officers have been issued as and when necessary. The Government do not consider that any useful purpose will be served by placing copies of these circulars on the table.

(*c*) The hon. Member is referred to Public (Elections) Department Notifications No. 28 and No. 29, dated the 15th August 1936, published at pages 1123–1124 of Part I of the *Fort St. George Gazette, dated the 18th August 1936.*

(*d*) The sale price has been fixed mainly with reference to the cost of paper and printing, the rates per forme of four pages or fraction thereof being—

Language.	Printed on both sides of paper.	Printed on one side only of paper.
English ..	.. Nine pies	.. One anna.
Vernacular ..	.. Six pies ..	.. Nine pies.

(*e*) & (*f*) In a circular, dated the 7th May 1936, an alphabetical arrangement of the names relating to each street in municipal areas and, where possible, in panchayat areas also, and each hamlet elsewhere was suggested to Registration officers. The Government have no definite information of the extent to which this suggestion has been adopted.

Mr. K. A. Nachiyappa Gounder:—" May I know, Sir, whether instructions have been issued to the officers and also to the public so

frequently changing the procedure from time to time which acted as handicap to the public in proceeding correctly in the matter of filing thei applications? "

The Hon. Sir Geoffrey Bracken:—" No, Sir. There have not bee so many changes."

Mr. K. A. Nachiyappa Gounder:—" The Government say in answe to (e) and (f) that they have no definite information of the extent t which this suggestion has been adopted. May I ask the Hon. Gentlema if the Government would be pleased to call for information and se whether the suggestions were adopted before publishing the fina rolls? "

The Hon. Sir Geoffrey Bracken:—" I am afraid it is too late. W have to make the best of the preliminary rolls."

Mr. P. V. Krishnayya Choudari:—" May I know when th Government is likely to publish the programme of future elections? "

The Hon. Sir Geoffrey Bracken:—"In a month or so, Sir."

Mr. P. V. Krishnayya Choudari:—" In view of the fact that owin to the passing of the Estates Land Act, certain privileges will accru to some tenants, may I enquire whether any special arrangement will be made to bring their names on the final rolls? "

The Hon. Sir Geoffrey Bracken:—" Unfortunately, I am afraid it would be impossible."

Diwan Bahadur T. A. Ramalingam Chettiyar:—" May I know whether the Government are aware that the number of polling station are not sufficient to serve the increased number of voters? "

The Hon. Sir Geoffrey Bracken:—" The Government are not aware of it. But as far as possible steps are taken to see that no voter has to travel more than five miles to record his vote. The list of polling stations has been scrutinized again and in some cases, it has been revised by the Collectors."

Diwan Bahadur T. A. Ramalingam Chettiyar:—Are the Government going to issue instructions that separate booths are to be provided for every one thousand voters? "

The Hon. Sir Geoffrey Bracken:—" Yes, Sir."

Mr. G. Rameswara Rao:—"Instead of putting a number of booths in the same village, would it not be better to spread them over various villages so that the distance covered may be lessened? "

The Hon. Sir Geoffrey Bracken:—"No, Sir. The difficulty is about adequate number of polling officers."

Mr. K. A. Nachiyappa Gounder:—" May I know what the Hon. Member means by 'five miles.' Does he mean the radius? "

The Hon. Sir Geoffrey Bracken:—" Yes, Sir."

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Programme of elections for the Provincial Legislative Assembly and the Provincial Legislative Council.

* 132 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Member for Finance be pleased to state—

(*a*) whether the Government have fixed any tentative programme for the coming elections to the Provincial Legislative Assembly and the Provincial Legislative Council;

(*b*) if so, what will be the approximate number of days allotted for the conduct of elections; and

(*c*) whether the Government will be pleased to place all the proposals on the table of the House?

A.—(*a*) The hon. Member is referred to the Public (Elections) Department Notifications No. 28 and No. 29, dated the 15th August 1936, published at pages 1123–1124 of Part I of the *Fort St. George Gazette*, dated the 18th August 1936, regarding the dates fixed for the several stages in the publication of electoral rolls for the territorial constituencies of the Legislative Assembly and Council.

(*b*) & (*c*) No decision has been arrived at.

Polling arrangements for elections to the Provincial Legislative Assembly.

* 133 *Q.*—Mr. V. T. Arasu: Will the Hon. the Member for Finance be pleased to state the number of polling stations (together with their names) which have been fixed for each of the general constituencies to the new Provincial Legislative Assembly?

A.—Polling stations are fixed by Collectors with reference to the general principles mentioned in the answer to question No. 109. When the lists of stations are finally drawn up they will be published.

Diwan Bahadur M. Gopalaswami Mudaliyar:—" May I know whether it is not possible to reduce it to three miles instead of five miles? " 1-15 a.m.

The Hon. Sir Geoffrey Bracken:—" I have tried it. We could not find enough polling officers or sufficient police."

Mr. Basheer Ahmed Sayeed:—" If the number of polling booths is to be larger, will not those officers be sufficient for different polling stations? "

The Hon. Sir Geoffrey Bracken:—" No, Sir. It is necessary to have responsible presiding officers if we increase the number of polling stations."

S. M. K. Beyabani Sahib Bahadur:—" May I know if there is any possibility of increasing the number of polling booths in certain areas of the Kurnool district where some of the villages are situated ten miles

from the polling booths? It has been represented by interested candidates that the polling booths in some cases are ten miles apart. Will it not be possible to change them? "

The Hon. Sir GEOFFREY BRACKEN:—" If the hon. Member will discuss the matter with the Collector of the district, probably he may get it revised."

Mr. G. RAMESWARA RAO:—"Is it the intention to have one presiding officer for the whole polling station to cover four or five booths? "

The Hon. Sir GEOFFREY BRACKEN:—" Yes."

Mr. BASHEER AHMED SAYEED:—" Is it not possible to have each firka divided into three at least instead of two as at present? "

The Hon. Sir GEOFFREY BRACKEN:—" No, Sir. It will not be possible to increase the number of polling stations further. Also the rolls have already been prepared on the basis of the polling stations."

Government Press

Proposals for the revision of the leave rules of Government Press employees.

* 134 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Home Member be pleased to state—

(*a*) whether the Local Government have perused the revised leave rules for Press employees framed by the Governor-General in Council and published in the *Fort St. George Gazette*, dated 5th November 1935; and

(*b*) whether the Local Government have under consideration similar rules for Press employees in the Government Presses in this presidency?

A.—(*a*) & (*b*) Yes.

Police

Transfer of the powers of recruitment to the police from the Madras Public Service Commission.

* 135 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

(*a*) whether it is a fact that the selection for the recruitment of sub-inspectors of police has been taken away from the Madras Public Service Commission;

(*b*) if so, what the reasons therefor are and whether a copy of the order passed in the matter will be placed on the table;

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(c) by whom such selections are to be made in future; and

(d) how and by whom the selection for the posts of Inspectors and Deputy Superintendents of Police will be made?

A.—(a) Yes.

(b) Sub-section (4) of section 266 of the Government of India Act, 1935, excludes the recruitment of Sub-Inspectors and other subordinates of the Police Department from the purview of Public Service Commissions. A similar provision has been made in clause (4) of section 7 of the Madras Public Service Commission Act (XII of 1936).

(c) The question is under the consideration of the Government. The selection will be made in the current year by the Deputy Inspectors-General and by the Commissioner of Police, Madras.

(d) The position, according to the rules now in force, is stated below:—

Post. (1)	*Mode of recruitment.* (2)	*Appointing authority.* (3)
1 Inspector of Police, Harbour Division, Madras City Police.	By promotion from the ranks of Sergeant-Major and Sergeants in the Madras City Police.	The Commissioner of Police in consultation with the Inspector-General of Police.
2 Inspectors of Police excluding the Inspector of Police, Harbour division.	By promotion from the rank of Sub-Inspector of Police.	In the mufassal, the Deputy Inspector-General of Police concerned; in the Madras City Police, the Commissioner of Police in consultation with the Inspector-General of Police.
3 Deputy Superintendent of Police.	Both by direct recruitment and by transfer from the rank of Inspector of Police.	The Local Government in consultation with the Madras Public Service Commission.

Local Self-Government

Alleged letter of the Collector-President of the South Kanara District Board regarding the affairs of the District Board.

* 136 Q.—Mr. M. S. Sreshta: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Collector of South Kanara district who was ex officio President of the District Board of this district for some months from December last year, in a letter addressed to the Government characterized that the affairs of the District Board were in a chaotic condition; and

(b) if so, on what grounds did the Collector-President base his remark?

A.—The Government do not consider that it is in the public interest to disclose the contents of official letters such as that in question.

Mr. A. B. Shetty :—" Will the Hon. Minister be pleased to call for the remarks from the present Collector who recently inspected the District Board office and looked into the records of the previous years? "

The Hon. the Raja of Bobbili :—" There seems to be no necessity to go into the matter."

Representations regarding the delegation of his powers by the President, Cuddapah District Board.

* 137 *Q.*—Mr. K. A. Nachiyappa Gounder : Will the Hon. the Minister for Local Self-Government be pleased to state whether any representations have been received from any of the members of the Cuddapah District Board, regarding a controversy in the matter of delegation of powers by the president to a member of the board; and, if so, what they are and how they have been disposed of?

A.—No representations have been received.

Mr. K. A. Nachiyappa Gounder :—" May I know whether the Hon. Minister has noticed the controversy that took place in regard to this question in the newspapers? "

The Hon. the Raja of Bobbili :—" I do not remember to have seen it."

Elections to the local boards included in Group III of the Local Boards Amendment Act, 1935.

* 138 *Q.*—Mr. K. A. Nachiyappa Gounder : Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) when the general elections in respect of panchayat boards and district boards included in the III Group mentioned in the amended Local Boards Act of 1935 are to come off in each of those districts and when the new boards are to come into operation in each district;

(*b*) whether there are any proposals for giving any extension of life to any of these district boards beyond the 31st of December 1936 and if so, what they are; and

(*c*) to which of the district boards such extensions are proposed to be given and what the special reasons therefor are; when the elections of each of such district boards will be completed and the new boards will come into existence?

A.—(*a*) The elections will be held on the dates fixed by the Inspector of Municipal Councils and Local Boards, after the electoral rolls of the local boards are finally published. Under the existing orders, the newly elected members will come into office on 1st November 1936.

(*b*) The Government have no such proposal before them.

(*c*) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER :—" Here it is stated: Under the existing orders, the newly elected members will come into office on 1st November 1936. May I ask whether there are any proposals to extend the time beyond the 1st November? "

The Hon. the RAJA OF BOBBILI :—" There is no proposal to extend the time-limit."

Mr. K. A. NACHIYAPPA GOUNDER :—" This answer was given in July. A month has already elapsed. I want to know whether there is any proposal existing at present? "

The Hon. the RAJA OF BOBBILI :—" I am not aware of any proposal."

Amalgamation of offices in district boards.

* 139 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) what the names are of district boards in which amalgamation of the district board office, district board engineer's office, etc., is in vogue now;

(*b*) whether the Inspector of Local Boards has expressed any opinion or offered any remarks with regard to such an amalgamated system, and if so, whether a copy of it will be placed on the table;

(*c*) whether the heads of departments under the local boards have been consulted from districts where such an amalgamated system is being practised;

(*d*) if so, from which of the districts such consultations have been made, and what remarks each departmental head has offered from each of such districts; and

(*e*) in which of the district boards such an amalgamated system has been put an end to since; and where it is still allowed to continue, and what the special reasons therefor are?

A.—(*a*) *to* (*d*) The attention of the hon. Member is invited to the answer to question No. 808 delivered on the 26th February 1936.

(*e*) Government have no information.

Mr. K. A. NACHIYAPPA GOUNDER :—" With regard to (*e*) may I ask the Hon. Minister to call for the information in view of the remarks which the Inspector of Local Boards has made with regard to the amalgamation system? "

The Hon. the RAJA OF BOBBILI :—" It was considered carefully. Since the abolition of the taluk boards, Government have come to the conclusion that the system has not been given sufficient trial. In these circumstances there does not seem to be any need for collecting the information. We must leave it to the special circumstances and convenience of each district."

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Mr. K. A. Nachiyappa Gounder:—" In some of the cases where there has been amalgamation I find there has been hardship in working and complaints have been brought to the notice of the Government. The Inspector of Local Boards was not in favour of the proposal. In view of this, will the Government call for the information and see that these offices are separated? "

The Hon. the Raja of Bobbili:—" It may be in some cases they have been working satisfactorily. I do not see any reason why Government should interfere at this stage. As already stated, there is no hard and fast rule on the question."

Reasons for reduction of pay of ex-taluk board clerks absorbed in the service of district boards.

* 140 *Q.*—Mr. U. C. Subrahmanya Bhatt: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that all servants of the taluk boards who have been absorbed in district board service except clerks are given their present pay and personal allowance to make up their old salary; and

(*b*) if so, why the clerks alone are denied this provision?

A.—(*a*) Yes.

(*b*) Ex-taluk board clerks who were actually thrown out of employment consequent upon the abolition of taluk boards and subsequently re-employed under district boards have been treated as new entrants for purposes of pay and no personal pay was therefore granted to them. But such of the establishments under the late taluk boards as were unaffected by the abolition of taluk boards and who passed under the control of district boards were treated as regular district board servants and were accordingly granted personal pay.

Mr. V. M. Ramaswami Mudaliyar:—" Is there any difference between the taluk board servants, who have been absorbed and the ex-taluk board clerks? "

The Hon. the Raja of Bobbili:—" That is not the point. My hon. Friend has not clearly understood the position. There are certain old taluk board services like the medical service which have been continued. Naturally in such cases the old scales continued. In the case of the clerks there were so many rates and designations and also the taluk boards were abolished. They were re-employed and treated as new entrants."

Mr. V. M. Ramaswami Mudaliyar:—" May I know where the district board is of opinion that a personal allowance is necessary, whether Government will be prepared to consider such a case? "

The Hon. the Raja of Bobbili:—" Yes. If any special grounds are shown, Government will certainly consider the case. Government are not prepared to do anything now which will have the result of upsetting the previous position."

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Prescription of a period of probation for ex-taluk board clerks absorbed in the service of district boards.

* 141 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the ex-taluk board clerks absorbed in the district board service have been entertained only as probationers in spite of their having been confirmed in taluk boards;

(*b*) whether they are treated as new entrants in the matter of pay; if not, why they should be asked to undergo probation; and

(*c*) whether the Government have taken any action or propose to take any action in the matter?

A.—(*a*) Yes.

(*b*) Ex-taluk board clerks absorbed under district boards are treated as new entrants in the matter of pay, their pay under district boards in the revised scales being fixed with reference to their pay and length of service under the late taluk boards. The reason for the prescription of probation to these servants has been given in G.O. No. 3648, L. & M., dated 7th September 1935, appended to the answer to question No. 813 answered on the 26th February 1936.

(*c*) Certain representations were received by Government against the prescription of probation, but they declined to reconsider their previous decision.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, whether this insistence on probation with regard to clerks who have put in long years of service—in some cases 15 years—does not cause a real hardship?"

The Hon. the RAJA OF BOBBILI:—"The point was that a large proportion of the ex-taluk board clerks did not possess sufficient educational qualifications or experience. At that time Government had the choice of two alternatives, viz., either to fix educational qualification or to have probation. Government came to the conclusion that the hardship would be less if they followed the latter course."

Diwan Bahadur T. A. RAMALINGA CHETTIYAR:—"In that case will probation be waived in the case of people who have the educational qualification?"

The Hon. the RAJA OF BOBBILI:—"If the educational qualifications fixed now are really enforced, seventy per cent of the people will be adversely affected."

Diwan Bahadur T. A. RAMALINGA CHETTIYAR:—"I am only asking in the case of those who have the educational qualification, whether probation will be dispensed with?"

The Hon. the RAJA OF BOBBILI:—"I will consider that."

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Admission of attenders and peons in the employ of district boards to the benefits of the provident fund.

* 142 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether representations have been received from the attenders and peons employed under the Salem District Board praying for the institution of provident fund benefits in their cases since January 1936;

(*b*) if so, when: and what remarks were offered on them by the Inspector of Local Boards;

(*c*) whether the Presidents of Trichinopoly, West Godavari, Ramnad and Malabar have addressed any communication to the Government in the said matter, viz., providing provident fund benefits to attenders and peons in their employ;

(*d*) if so, what they are and whether copies of them will be placed on the table;

(*e*) what final orders have been passed by the Government in this behalf; and whether a copy of it will be placed on the table;

(*f*) whether it is a fact that G.O. No. 4057, L. & M., dated 9th October 1928, has been passed permitting the Chittoor District Board to allow their attenders to subscribe to the provident fund established by that district board;

(*g*) if so, whether a copy of it will be placed on the table; and

(*h*) what the special reasons are for not allowing at least the same treatment to other district boards too?

A.—(*a*) Yes.

(*b*) The representations were forwarded to Government by the Inspector of Municipal Councils and Local Boards in April 1936.

(*c*) Yes.

(*d*) The communications related to the admission of inferior and menial servants of local bodies to the benefits of Provident Fund. No useful purpose will be served by placing copies of them on the table.

(*e*) Copies [a] of G.Os. No. 2460, Local Self-Government, dated the 10th June 1936, and No. 2670, Local Self-Government, dated the 24th June 1936, issued on the subject are placed on the table.

(*f*) Yes; under the rules then in force.

(*g*) A copy [a] of the Government Order is placed on the table.

(*h*) Such of the attenders under all local bodies as have been admitted to Provident Fund under the old rules prior to 1st April 1932 are permitted to continue to subscribe

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(*d*) Government have not prescribed any qualifications for licence inspectors, but it is open to the District Board under section 71 (1) of the Madras Local Boards Act, 1920, to frame regulations in the matter.

Mr. A. B. SHETTY :—" May I know whether such license inspectors have been appointed in all district boards? "

The Hon. the RAJA OF BOBBILI :—" No, Sir."

Number of buses plying for hire in each district.

* 144 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) how many buses are plying for hire in each of the districts as per figures available for the quarter ending by 30th June 1936; and

(*b*) what the income derived is from such buses and motor-cars and private buses (each separately) by fees levied under the Motor Vehicles Taxation Act in each district for the said quarter?

A.—(*a*) A statement [a] showing the number of motor buses plying for hire in each district during the quarter ending the 30th June 1936 is appended.

(*b*) The Government have no information.

Levy of additional fee on Salem district buses halting at Bhavani.

* 145 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the hire buses of Salem district are allowed to enter the bus stand at Bhavani in Coimbatore district without paying any extra fees in the latter district for the transhipment of passengers;

(*b*) if not, what the reasons are for not so doing;

(*c*) what the distance is from the Salem district limit to the bus stand at Bhavani; and

(*d*) whether any representations have been received in this behalf and if so, from whom and how the same have been disposed of?

A.—(*a*) *to* (*c*) The Government have no information.

(*d*) None.

Mr. K. A. NACHIYAPPA GOUNDER :—" Will the Government be pleased to call for the information and see that the defects are removed? "

The Hon. the RAJA OF BOBBILI :—" If the Hon. Member would place before the Government any real defects or information, Government will be pleased to go into it."

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[a] Printed as Appendix V on page 414 infra.

Mr. K. A. Nachiyappa Gounder :—" The *question itself* will show that there is a hardship in the buses going to the bus-stand at Bhavani which is very near. Will the Government see that the hardship is removed? "

The Hon. the Raja of Bobbili :—" I undertake to call for information. First of all we must satisfy ourselves that there is any hardship."

Co-operation

Transfer of officers of the Co-operative department.

* 146 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Public Works be pleased to state whether officers from the Co-operative department are transferred from Telugu areas into other areas and *vice versa*?

A.—Yes.

Mr. P. V. Krishnayya Choudari:—Will the Hon. the Minister see that the officers know the languages of an area before they are posted to that area? "

The Hon. Mr. P. T. Rajan :—" No officer is posted indiscriminately. The heads of departments take care to see that the officer knows or is acquainted with the language of the district to which he is posted."

Mr. Abdul Hameed Khan :—" Does the Hon. Minister know that there are officers in the department who do not know and who are not acquainted with the language of the district to which they are posted? "

The Hon. Mr. P. T. Rajan :—" I believe that as far as possible officers do know the language of the particular area to which they are posted. I do not say that all officers know all the languages of the Presidency."

Mr. P. V. Krishnayya Choudari :—" In the case of Bellary and Guntur, there are officers posted who do not know the language and they are expected to audit as Deputy Registrars? "

The Hon. Mr. P. T. Rajan :—" As far as I am aware, officers posted to those two districts know the language."

Mr. V. P. Narayanan Nambiyar :—" May I know whether the Hon. the Minister is aware that he is administering the affairs of districts the languages of which he does not know? " (Laughter).

Representations from co-operative societies for exemption from Registration charges.

* 147 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether any representations have been received for granting full concession of registration charges for the documents relating to co-operative societies; and

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(b) if so, from whom and in what way they have been disposed of?

A.—(a) Yes.

(b) The Madras Provincial Bank.
The Ramachandrapur Co-operative Central Bank.
Certain societies in the East Godavari district.
Alamuru Co-operative Union.
The Coimbatore District Urban Bank.
The Chittoor District Co-operative Central Bank.
The Guntur District Co-operative Central Bank.
The Nellore District Co-operative Banking Union.
The Madras Provincial Co-operative Conference, 1933.
The Government after a consideration of the requests in consultation with the Registrar of Co-operative Societies decided to continue to levy half fees for registration.
The Land Mortgage Banks however enjoy at present full exemption.

Mr. K. A. Nachiyappa Gounder :—" May I know whether the Hon. Minister is aware that the levy of half-fees causes hardship to these institutions and stands in the way of their progress? "

The Hon. Mr. P. T. Rajan :—" Possibly paying half-fee might be a hardship; but it does not stand in the way of progress of those societies."

Representation from co-operative societies for grant of encumbrance certificates free of charges.

* 148 Q.—Mr. K. A. Nachiyappa Gounder : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether representations have been received for the free grant of encumbrance certificates to the co-operative societies; and

(b) if so, from whom and in what way they have been disposed of?

A.—The attention of the hon. Member is invited to the answer to question No. 147.

Mr. K. A. Nachiyappa Gounder :—" The recent resettlement and splitting up of holdings have resulted in hardship in the matter of getting encumbrance certificates. Will the Hon. Minister go into the question? "

The Hon. Mr. P. T. Rajan :—" Is it with reference to any particular district? "

Mr. K. A. Nachiyappa Gounder :—" In regard to the districts where resettlement has taken place in recent years, say, for instance, the southern taluks of Salem district, the holdings that have been

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split up are so numerous that it causes hardship. Will the Hon. Minister see that the cases of such districts are taken into consideration?"

The Hon. Mr. P. T. Rajan:—" I am willing to consider the suggestion, Sir."

Fee for the audit of the accounts of the Mangalore Catholic Co-operative Society and the Central Bank, Mangalore.

* 149 Q.—Mr. M. S. Sreshta: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) what fee is leviable by Government for the audit of the accounts of (1) the Mangalore Catholic Co-operative Society; and (2) the Central Bank, Mangalore;

(*b*) what is the number of days taken by the auditor for each of these audits for the year 1934–35;

(*c*) what is the cost to Government on account of each of these audits, including leave allowance and pension contribution; and

(*d*) whether any remission was granted of the fees leviable by Government; if not, what are the grounds for the disparity between the costs leviable and the costs actually incurred?

A.—(*a*) *to* (*c*) The information [a] is appended.

(*d*) The Mangalore Catholic Co-operative Society was granted by the Registrar a remission of Rs. 120–13–0 or 12½ per cent of the fees levied for 1934–35. No remission was given to the South Kanara Co-operative Central Bank for 1934–35 as the cost of the audit exceeded the fees leviable. The basis on which fees are levied is not the actual cost of the audit but the working capital of the society.

Mr. M. S. Sreshta:—" In answer to clause (*d*), it is said, 'The basis on which fees are levied is not the actual cost of the audit but the working capital of the society.' In view of the fact that this basis causes the audit fees to go out of all proportion to the actual cost, will the Hon. Minister be pleased to reconsider the basis of levying the audit fee?" 11-3 a.m

The Hon. Mr. P. T. Rajan:—" As a matter of fact, the matter is being examined by the Registrar of Co-operative Societies."

Diwan Bahadur T. A. Ramalingam Chettiyar:—" May I know whether the Government are aware that the societies are paying for the departmental audit twice what they used to pay when they were audited by private certified auditors?"

The Hon. Mr. P. T. Rajan:—" If you want to have the work done by the department, perhaps you will have to pay more. I may say, as I said to my hon. Friend from South Kanara, that the matter is under the consideration of the Registrar of Co-operative Societies."

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[a] Printed as Appendix VI on page 414 infra.

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Mr. M. S. Sreshta:—" May I know whether the total income derived from audit fees is much more than what the work costs? "

The Hon. Mr. P. T. Rajan:—" I cannot say offhand. The fee may be less in the case of one society; it may be more in the case of another."

Restrictions on the opening of new Land Mortgage Banks.

* 150 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Public Works be pleased to state whether it is a fact that the Government have ordered not to start fresh Land Mortgage Banks; if so, what the reasons are?

A.—The attention of the hon. Member is drawn to the answer given to clause (*d*) of question No. 842 in the Council on 28th February 1936. A proposal to open a few new banks during the current year has since been taken up and is under consideration.

Mr. P. V. Krishnayya Choudari:—" In view of the demand from various quarters for opening more land mortgage banks, may I know why only a few banks are to be opened instead of a large number? "

The Hon. Mr. P. T. Rajan:—" My hon. Friend is aware that the programme is to open ten banks a year. As a matter of fact, we are exceeding that limit this year."

Mr. P. V. Krishnayya Choudari:—" May I know in how many years, one century or two centuries, this programme will enable all the important centres in the Presidency to have land mortgage banks? "

The Hon. Mr. P. T. Rajan:—" My hon. Friend is perhaps a better mathematician than I am to calculate centuries. The idea of Government is to have ten banks every year. In addition to that, my friend is aware that the Government in the Revenue Department are giving loans to the agriculturists."

Rao Sahib V. I. Muniswami Pillai:—" May I ask whether, in opening new banks, the Hon. Minister will bear in mind the claims of those districts in which the agriculturists are more heavily indebted? "

The Hon. Mr. P. T. Rajan:—"Certainly, Sir."

Diwan Bahadur M. Gopalaswami Mudaliyar:—" In considering the opening of new banks, may I know whether the claims of the Bellary district will be considered in the near future? "

The Hon. Mr. P. T. Rajan:—" As I just now replied to my hon. Friend from Guntur, Government will open new banks as far as possible in areas in which there are already no banks or in areas where facilities given under the Agricultural Loans Act are not available."

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Mr. K. A. NACHIYAPPA GOUNDER:—" May I know from the Hon. Minister whether the facility for starting land mortgage bank will not be given to the district where facilities for loans under the Agricultural Loans Act are prevalent? "

The Hon. Mr. P. T. RAJAN:—" Wherever we are satisfied that there are men to work the bank, that is taken into consideration. Also the fact of the absence of other facilities for granting loans is taken into consideration."

Increase of shares of the Central Land Mortgage Bank.

* 151 *Q*.—Mr. P. V. KRISHNAYYA CHOUDARI:—" Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether any action has been taken for increasing the shares of the Central Land Mortgage Bank; and

(*b*) if any increase has been made, on what basis the Government propose to distribute the shares?

A.—(*a*) The Board of Directors of the Central Land Mortgage Bank resolved in June last to issue shares to the value of Rs. 20,000.

(*b*) The Board has decided to so allot these shares as to secure as wide a representation as possible on its register.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the Government are aware that according to the recent redistribution of shares made by the Central Land Mortgage Bank, they have given the shares to the same place without any consideration to secure adequate representation by *pro rata* distribution? "

The Hon. Mr. P. T. RAJAN:—" If I remember right, my hon. Friend wanted that all the districts should have the opportunity of taking shares. I believe, Sir, if I am not mistaken, that condition is being observed."

Educational qualifications for admission into the Co-operative Training Institute.

* 152 *Q*.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether there is any percentage of marks fixed by the order of the Government for admission into the co-operative training institute; and

(*b*) whether the Government will be pleased to state the reasons therefor?

A.—(*a*) Admission is open only to candidates possessing the minimum general education qualification laid down in the general rules for subordinate services. This qualification includes obtaining of certain percentage of marks in certain subjects.

(*b*) The attention of the hon. Member is drawn to paragraph 4 of G.O. No. 867, Development, dated 26th June 1934, which was placed at the disposal of the Press.

Education

Proposals for the revision of the Grant-in-aid Code.

* 153 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether there are any proposals for revising the Grant-in-aid Code;

(*b*) if so, what they are and on what lines;

(*c*) whether there are any proposals for giving any preferential treatment to districts which are really far backward in education in the matter of distribution of grants; and

(*d*) if so, what they are?

A.—(*a*) No.

(*b*), (*c*) & (*d*) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask why the Government has not even thought about this question of the revision of the Grant-in-aid Code, though this has been insistently asked for in every budget discussion and on all other possible occasions?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not think there has been any great demand recently for the revision of the Grant-in-aid Code as such.

Reconsideration of the list of books approved by the Text-Book Committee prior to 1931.

* 154 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether it is a fact that the books approved by the Text-Book Committee prior to the year 1931 have been taken up for reconsideration, and a revised list of such books now reapproved has been issued;

(*b*) whether a copy of the Government Order relating to this matter will be placed on the table;

(c) how many books have now been excluded in the present list so revised; and

(d) on what principles such rejections have been made?

A.—(a) Yes.

(b) The attention of the hon. Member is invited to the Text-Book Committee rules published on pages 212–217 of Part I–B of the *Fort St. George Gazette*, dated 2nd April 1935.

(c) Five hundred and sixty-five.

(d) On the principles laid down in rule 23 of the rules relating to Text-Book Committee.

Defalcation in the Presidency Training School for Mistresses, Egmore.

* 155 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) whether there was any defalcation in the Presidency Training School for Mistresses, Egmore;

(b) what the amount involved therein was; and

(c) what steps have been taken in the matter by the authorities?

A.—(a) Yes.

(b) & (c) The matter is under investigation.

Filling of the twenty additional seats sanctioned for the L.T. section of the Teachers' College, Saidapet.

* 156 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) whether it is a fact that 20 more seats have been added to the L.T. section of the Teachers' College at Saidapet for the current year;

(b) if so, when were the orders passed to that effect and whether a copy of it will be placed on the table;

(c) whether the admissions to these seats have been made by the selection committee or by the Principal of the College himself;

(d) if by the latter, what the reasons are for discarding the committee appointed for such purposes;

(e) whether any representations or protests have been received from any of the members of the committee for such a procedure; and

(f) if so, from whom and in what way they have been disposed of?

A.—(a) Yes.

(b) A copy [a] of G.O. No. 814, Education, dated the 25th April 1936, is placed on the table.

[a] Printed as Appendix VII on page 415 infra.

(c) & (d) The Selection Committee had already selected the usual number of 180 candidates by the time the order was issued. The Principal was therefore asked to select the additional candidates himself. In doing so he followed the rules on the subject originally laid down by the Committee. The Government considered that another meeting of the Committee was unnecessary.

(e) A member of the Selection Committee protested against this procedure.

(f) The Principal was asked to circulate the tentative list of the additional twenty candidates to the members of the Selection Committee.

S.S.L.C. Re-examination, 1936.

* 157 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) whether the Government held a re-examination this year in certain centres for S.S.L.C. candidates;

(b) if so, whether another entrance fee was collected from candidates sitting for the said re-examination; and

(c) whether a copy of the statute, rule or order, if any, under which the re-examination was held and the fee collected, will be placed on the table?

A.—(a) & (b) Yes.

(c) An extract[a] of G.O. No. 727, Education, dated 13th April 1936, on the subject is placed on the table.

Mr. G. RAMESWARA RAO:—" Sir, the rule published as part of the answer refers to the re-examination held in April this year for the candidates who appeared for the previous examination. I was asking the Minister to tell me whether there are any rules or orders under which they are justified in holding a second examination and levying a second fee? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot quote the rule on the subject offhand. I think there are rules to have a re-examination like this."

Mr. G. RAMESWARA RAO:—" May I know whether a copy of the statute, rule or order under which this re-examination was held and additional fees levied on the candidates will be placed on the table? In that case, may I take it that the question was not properly answered? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" This particular re-examination was authorized by the Government under the Government Order given in the answer. How the Government derived the power to issue such a Government Order is another matter."

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[a] Printed as Appendix VIII on page 415 infra.

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Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask for whose fault ɪis re-examination was held? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The fault of the pupils to a great extent."

Mr. G. RAMESWARA RAO:—" May I know whether it is not the ɪult of the Government to allow the papers to leak out and not the ɪult of the pupils at all? If so, why should the candidates pay a ɪcond time for the examination? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not know whether it is entirely the fault of the Government. I know it is the fault of at least some pupils, and I think the pupils have been rightly penalized for the leakage of the papers."

Mr. G. RAMESWARA RAO:—" If so, is it right that every pupil ɪould be so treated for the primary fault of the Government and ɪe fault of some pupils? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is not possible to find out exactly who the pupils were."

Cost of conducting the S.S.L.C. re-examination in 1936.

* 158. *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Minister for ducation and Public Health be pleased to state—

(*a*) the actual cost incurred by the Government for holding the S.L.C. re-examination in 1936; and

(*b*) the total amount collected by way of additional fees from S.L.C. candidates who sat for the examinations in 1936?

A.—(*a*) Rs. 3,392.

(*b*) Rs. 5,973.

Mr. G. RAMESWARA RAO:—" I understand that about Rs. 6,000 ɪs collected and only about Rs. 3,250 was spent. Is it the object of e Government to make profit from whatever source or whether the overnment is going to refund the amount or await a suit for refund? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It was not the intention of the Government to make a profit. If there is a surplus, that cannot be helped."

Mr. G. RAMESWARA RAO:—" May I know whether the Government e prepared to refund the balance *pro rata* to the candidates? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It does not seem worthwhile to do that."

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Leakage of the S.S.L.C. examination question papers in 1936.

* 159 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the S.S.L.C. examination question papers were known beforehand to the candidates in 1936 and, if so, in what districts;

(*b*) whether the said leakage of the papers has been traced to the source; and

(*c*) what safeguards, if any, are being taken to prevent leakage of the question papers in the future?

A.—(*a*) Yes, in the districts of Bellary, Kurnool, Anantapur, Cuddapah and Guntur.

(*b*) Yes.

(*c*) All possible precautions have been taken to prevent leakage. They are confidential.

Mr. A. B. SHETTY:—" May I ask how the leakage of papers took place in the particular districts? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The matter is *sub judice*. I cannot disclose any further details."

Mr. G. RAMESWARA RAO:—" May I know what the Government means by saying, ' All possible precautions have been taken to prevent leakage. They are confidential '? I think the leakage was confidential but not the precautions for the prevention of leakage."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The precautions also are confidential."

Mr. G. RAMESWARA RAO:—" I think the public have a right to know what steps they have taken to prevent leakage. If the steps are not satisfactory, they could tender better advice to Government."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" In this matter, the Government cannot lay their cards on the table."

Ban on the admission of non-Christians into the Church Higher Elementary School at Belle, South Kanara.

* 159-A *Q.*—Mr. M. S. SRESHTA: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the Director of Public Instruction has advised the District Educational Council of South Kanara to remove the ban against the admission of non-Christians to the Church Higher Elementary School at Belle in South Kanara district;

(*b*) whether it is a fact that the District Educational Council has nevertheless not removed this ban; and

(*c*) if so, what action the Government propose to take?

A.—(*a*) Yes.

(*b*) It is understood that the District Educational Council has not removed the ban.

(*c*) The President, District Educational Council, will be consulted in the matter

Mr. M. S. SRESHTA:—" I believe, Sir, that the Government have wer, under the Elementary Education Act as amended recently, to move such a ban. Am I right, Sir?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Of course, the Government have taken some fresh powers under the amended Act. I cannot say offhand whether that power will extend to a case like this."

Mr. A. B. SHETTY:—" May I know whether it is the policy of the vernment to cancel the resolutions passed by District Educational uncils?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is not their policy unless the resolutions are perverse."

Rao Sahib V. I. MUNISWAMI PILLAI:—" May I know whether the rticular school is given aid by the Educational department?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I think it is getting the aid for which it is eligible."

UNSTARRED QUESTION

Control of Vehicles

Rickshaws plying for hire within the Madras City limits.

160 *Q.*—Diwan Bahadur R. SRINIVASAN: Will the Hon. the Home ember be pleased to state—

(*a*) the number of rickshaws licensed to hire within the limits of e Madras City;

(*b*) the number of rickshaw pullers;

(*c*) whether rickshaws are provided with alarm bells; and

(*d*) whether the Government have noticed that one seater ricklaws are used by two passengers?

A.—(*a*) & (*b*) The number of rickshaws licensed to hire within the limits of the Madras City were 3,400 during the year 1935–36 and 2,985 during the period from 1st April 1936 to 10th August 1936 and the number of rickshaw pullers licensed during these periods were 4,750 and 4,000 respectively.

(*c*) No.

(*d*) In 1935–36 more than 4,000 cases of one-seater rickshaws used by two persons were charged by the Police, and from 1st April 1936 up to 10th August 1936 more than 1,500 such cases have been charged.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—THE MADRAS LAND ALIENATION BILL (BILL No. 14 OF 1935).

Mr. P. V. Krishnayya Choudari :—" Mr. President, I move that the Madras Land Alienation Bill [a] (Bill No. 14 of 1935) be referred to a Select Committee. Before the matter is referred to a Select Committee, I just want to explain a few points about the Bill and its objects. Sir, this Bill is brought forward by me just to help the agriculturists of this province. Especially on account of the economic depression, several agriculturists are losing their lands, and these lands are passing into the hands of various money-lenders. That is why I want to prevent the non-agriculturists from getting possession of the lands of the agriculturists. This is not a new measure. Sir, a similar measure has been already on the Statute Book in the Punjab, and there it has been working very satisfactorily. It was introduced in the Punjab in 1901, and just before the introduction of the Bill, the Government of India had also consulted the various provinces including Madras. That was in 1899, when several opinions were expressed by the various Governments. Considering all these, the Government of India permitted the Punjab Government to place this legislation on the Statute Book. As it was a new piece of legislation, the Punjab Government wanted to watch its working for a period of eight years, from 1901 to 1908, and with that view they have published in their administration reports of the working of this particular Act. And in these reports they have said that the Act which was passed in 1901 was working very satisfactorily. So, it will be seen that the people of the Punjab were very much benefited by it and the agriculturists there have not lost any of their agricultural properties to the non-agriculturists. There are certain gentlemen who are of opinion that by having such a sort of restriction on land alienation the credit of the agriculturists will suffer to a very great extent. I am one of those who do not believe such a theory, because I myself went to the Punjab some time ago to enquire into the conditions of the people there before I introduced the Bill here. Having seen several people and consulted them, I came to know that they have not felt any inconvenience about credit facilities. Even the Punjab Government have mentioned in their administration report that the ryots have not suffered to any extent for want of credit facilities. On the other hand, that Bill has prevented any extravagant expenditure on the part of the agriculturists. As a result, the agriculturists of the Punjab to-day are much better off than the ryots in other provinces in our country.

" Another aspect, Sir, is that this Bill contemplates not only the protection of agricultural land from alienation but this has got some two or three other good features. One is this: if any particular agriculturist borrows from a non-agriculturist and does not pay the loan,

[a] Published in the *Fort St. George Gazette*, dated 30th June 1936.

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the creditor can only get back his money by way of a usufructuary mortgage of the lands, and the other properties of the agriculturist will not be affected. A period of 20 years is provided for such mortgages. After the twenty years' period is over, the ryot can get back his property. Thus the creditor can only enjoy the produce from the property for a maximum period of twenty years for recovering the money lent by him.

"Another feature is this. We can also scale down the debts in our province. For example, Sir, the agricultural indebtedness in this Presidency amounts to about 200 crores. If we are anxious to wipe out that debt of 200 crores, the Acts on the Statute Book at present will not give any great relief to the agriculturists to clear their indebtedness But, this Bill, Sir, will go a very great extent to give such relief; because, the properties of people who are indebted can be taken hold of by the creditors only for a maximum period of twenty years, and that too, after permitting a subsistence allowance to the agriculturist. The creditor can take back his money only by collecting the rent from those fields for that period.

"Whether that debt could be cleared or not, the creditors are 11-4 a.m. expected to have the satisfaction of having the rent only for a period of 20 years. At the end of that period of 20 years the land will revert to the agriculturist concerned. The advantage of this arrangement is that the cultivator is sure to get back his land for himself and his descendants and there will be no question of unemployment among that class of the population.

"Another advantage to be derived from this Bill is that it obviates the cumbersome procedure in courts in regard to debt collection. Under this Bill the filing of a single petition before a Collector is sufficient to enable the creditor to take possession of the land. The process of collecting money has also been made easy for the creditors and, at the same time, the debtor will not have to incur any extra expenses in that connexion. At present, even under the Insolvency Act, the whole property is taken over by the official receiver and the debtor gets nothing even for his subsistence. The entire property is auctioned by the official receiver and he distributes *pro rata* the sale proceeds. This Bill provides a different procedure in similar matters. Clause 16 lays down that an official receiver should be appointed by the district collector and that the former should allow a certain margin for the maintenance of the debtor concerned. Under the provisions of this Bill therefore the ryot-debtor is not only assured of some means of subsistence, but there is also the certainty that the land will revert to him in 20 years' time. These facilities have been granted to the agriculturists and the cultivating classes who have unfortunately run into debts.

"Now, Sir, there is an impression prevailing that in our Province there are no agricultural classes separately from the other classes of the population. Sir, I am one of those who will not accept that impression as correct. Among our population certainly there are persons who

can be identified as agriculturists and our difficulty to so recognize them is due to the fact that we are not accustomed to make that distinction. I am sure, however, that some time after the Act has been in force, the collectors could without difficulty publish a list of agricultural families in their jurisdiction and it will not be an unworkable thing. I do think that it will work well.

"I may at this stage give the House the benefit of some statistics that I have collected in this connexion. Several Marwaris from Gujarat and other places have come and settled in the Telugu districts doing banking business. There are some 21 of their shops in Tenali and they have advanced loans to the extent of about a crore of rupees. The Imperial Bank of India has also advanced one crore of rupees. In the other places also Marwaris and other persons are advancing loans on similar lines. They are all non-agriculturists. The Bill I am now speaking of can certainly be expected to help the agriculturists in this situation. In my district alone out of a total agricultural indebtedness of 3 crores of rupees, two crores have been advanced by non-agriculturists. This Bill will certainly give great relief to these indebted agriculturists. By advancing money to the agriculturists these non-agriculturists have deprived the former, in these days of depression especially, of large areas of cultivable land. One individual in my district has purchased 500 acres of wet land by this means. This is in Tenali. I am sure the same is the case in other parts of the presidency. I do not want, at this stage, to weary the House by a recital of all these. There are also the Kabul merchants who come here and advance money to our agriculturists at very high rates of interest. All these money-lenders first give the ryots loans and ultimately take possession of the lands. My Bill is intended to prevent the lands of the agriculturists falling into the hands of these non-agriculturists. There are nearly, 100,000 acres of wet land mortgaged to the Imperial Bank of India at Guntur and about 46,000 acres to the various money-lenders. I am only able to give a rough figure, as there is no statistics department under me. Government may be able to give the correct figure. For the reasons given by me, I feel that this Bill will be of great use to the agricultural classes. I request the House to refer it to a select committee consisting of Members whose names I shall give later."

* Mr. G. R. PREMAYYA:—"I second the motion, Sir. The hon. Mover has given ample reasons for bringing forward a measure of this kind. It should not therefore be difficult to understand the underlying object of this piece of legislation. Sir, on this occasion, I am reminded of the saying: 'A German loves his power; an American loves his dollar; a Frenchman loves his wine; and an Englishman his cigar.' (Laughter.) Similarly, the Indian ryot loves his land. This Bill will affect all classes alike and not this or that community alone. We have cultivators among all communities. I have seen Brahmans cultivating lands; so also are Kshatriyas and others. The Bill therefore will not affect one community more than another, but it seeks to divide the

whole population under two classes, the agricultural classes and the non-agricultural classes. All of us know that the money-lenders are blood-suckers. The Marwari money-lender comes to our province just to earn money by squeezing the people. When the depressed classes wanted lands, the Government recognized their necessity and granted them lands. They imposed certain conditions in order to see that the lands are not sold away by the depressed class ryots. I suggest that the same conditions may be applied in the case of mortgages to non-cultivators. It is necessary to protect the lands from going into the hands of the money-lenders. That should be recognized by the Government and by everybody. I am given to understand that the Government are going to oppose the Bill. If so, I should be sorry as it would amount to standing in the way of great relief being afforded to the ryots. It is impossible for those who are not in direct touch with the agriculturists to understand the great need for a measure of this kind restricting the alienation of the lands of the agriculturists. At any rate if one knows how fondly the ryot clings to his land he can realize the situation. From my little experience I can say that I feel it to be more pleasant to be in the corn field than under the roof of my house; I love the crops so much that I get very good sleep in the corn field. The ryots must all be feeling likewise. If a ryot goes to his field and sees the crops growing handsomely he feels very happy. I do not know how to describe his feelings. That being so, if his land is taken away from him he feels very miserable. I recently read in a paper that an Ethiopian suffers anguish if he is deprived of his gun. The same thing can be said of our ryots without their lands. Once they are deprived of their lands they feel that they are dead. Therefore we want to protect them from being dispossessed of their lands. We want the Government to protect them from being deprived of their lands by the money-lenders. If once the land goes into the hands of the money-lenders, they spoil it and make it difficult for the ryots to improve and restore it to its original condition. For these reasons it is very necessary to save the lands of the agriculturists from falling into the hands of the money-lenders. I have therefore great pleasure in seconding this motion."

* The Hon. Sir CHARLES SOUTER:—" Mr. President, Sir, I feel it necessary that this motion must be opposed for this reason: we have, ever since about 1890, considered whether a measure of this kind is necessary in this Presidency, and up to now all our officers have reported that such a measure is not necessary. Perhaps the House would like to know the reasons which induced the Government to come to this conclusion. In the first place, Mr. P. V. Krishnayya Choudari, as the House will have noticed, based his arguments almost entirely on what, he said, is the success of a similar measure in the Punjab. The Government have looked into this question carefully, and, as a result of that examination, they have found that the conditions in the Punjab cannot be properly compared with the conditions here, for these reasons: in the Punjab the cultivators consist mainly of Sikhs and Muhammadans. Those who have money live in large towns and lend it to the

agriculturists in the villages. That is the case there. But, here, in Madras, we have found the exact converse, that is to say, by far the largest proportion of money lent to agriculturists has been paid by other agriculturists. This constitutes a radical difference between the conditions prevailing in the Punjab and the conditions prevailing in this presidency.

2 on. "Apart from that, the House knows that the Government appointed a Special Officer to investigate the conditions in this Presidency owing to the present slump. This Special Officer went into this very question very carefully and came to the conclusion that such a legislation was entirely unnecessary in this Presidency. Apart from these facts, we are attempting, by passing the Debt Conciliation Bill and also by granting takkavi loans, to reduce the indebtedness of the ryots and the necessity for this Bill is *pro tanto* reduced. Another point is: do the ryots want this measure? We have no information at all on that point. Apart from that, we are taking away from a body of men the right to dispose of their own property which they have been enjoying for the last 100 years and would the taking away of that right be acceptable to the owners of that right themselves? We do not know whether we are introducing in this Bill a principle in regard to property which this Presidency is unprepared to adopt. Then I think, without knowing what the ryots themselves want in this matter, we might be imposing on them something which they do not want. I admit that in some parts of the Madras Presidency we have accepted a principle of this kind, but the conditions under which we have introduced that principle in those parts—the Agency tracts—are different. There we have got hill-tribes and we wanted to impose certain restrictions upon them by which they would not be able to dispose of their lands. Under the Agency Law—the people in the Agency tracts are primitive tribes—no one can dispose of his land to any one else except a person belonging to a hill-tribe. In other words we have tried to prevent the lands from passing into the hands of people from the plains. The reason for that is we have got a tribe of people in the Agency tracts who are very backward and do not know what their rights are. In order to prevent speculators from outside those tracts going there and purchasing those lands, we have introduced such a legislation there. The conditions are more or less similar in the Punjab. But the Bill under reference is intended to be applied to ordinary ryots, the cultivators of this Presidency. So what I say is, until we know that the ryot himself wants this measure, it is extremely unwise of us to force this measure upon him and if the hon. Mover of this Bill wishes, I should have no objection to circulating this measure for eliciting public opinion. If he had agreed to this proposal, I would not have opposed his motion, but if he would insist on its being referred to a Select Committee which, I may remind the House, would commit the Government of having accepted the principle of it, then I am afraid I must oppose it."

Mr. C. R. PARTHASARATHI AYYANGAR:—"Sir, in connexion with this matter, I may first refer to district economic councils. We ought not to belittle the economic councils that are being installed in several

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parts of the Presidency. Yesterday I saw a Collector remarking that we have to introduce a social feeling in the minds of the people of the villages because they have lost all sense of social feeling and unity among themselves. They had no feeling of solidarity and that was one of the reasons for inaugurating the economic council in each district. Now if we are really earnest that our economic councils should work well and should not be a failure, then all our wishes should not be mere lip phrases but should be worked out in a spirit of reality and we must see that the village solidarity is once more reinstated. With that end in view, we must examine the conditions in villages. We have got the report of Sir Thomas Munro and I believe the Hon. the Revenue Member would have read that report. I may say that the ryotwari system introduced by Sir Thomas Munro is not beneficial to this part of the country. If this Council do not pass this measure, probably some other future Council will certainly pass it. I have not the slightest doubt that any one who has studied the conditions of land tenure before the introduction of ryotwari system by Sir Thomas Munro would be convinced that the solidarity of the village consists in making the entire village the unit of land tenure system. You will find even to-day in North Arcot district in some of the villages the lands of the whole village are distributed among people by turns, and before the survey of 1914 was effected, many Settlement Officers were surprised to find people holding the lands by turns. Now-a-days every villager does not feel that his welfare is that of his neighbour and without this feeling rural uplift is impossible.

" Then, Sir, the land in olden days was never sold for arrears of land revenue. It is the produce of land that was sold for recovering arrears of land revenue. That was the state of affairs before the advent of British rule. You will find *ex hypothesi* that the village was considered as one whole and single unit. The village was considered a bigger family, and every one in the village considered himself as the owner of the land.

" So if we are really earnest in our desire that the villages should be restored to their original condition, we must take steps to see that the village money-lender or the sowcar does not take away the lands making all the villagers paupers. For this reason the villages must be made self-reliant. That cannot be done unless some such Bill as this is passed. From the number of documents such as sale-deeds, mortgage-deeds, etc., that are registered in the sub-registrar's offices, it is clear that the landholder cannot depend upon himself and his land. Under the Estates Land Act, the land can be attached for arrears of revenue. So that Act also will have to be amended. Anybody going to villages can see that the villages have got empty houses and mud walls. Anyone who has gone to villages during electioneering campaign could have seen this state of affairs. There is no doubt about the fact that the position of the ryot is hopeless and he depends for any financial help upon the village money-lender. Therefore unless the villager knows that there is somebody to look after his interests, the land upon which

he depends for his very livelihood will easily be taken away by others to whom the lands have been mortgaged or alienated in some form or other. I have no hesitation in saying that one day this Bill will be passed into law. The sooner we take steps in that direction, the better will it be for the rural uplift with which we are so much concerned now. People do not really consider all these things. It might be very good
12-15 p.m. in order to stave off the evil day, to postpone it for the time being."

The Hon. Sir CHARLES SOUTER:—" As a personal explanation I should say, Sir, that that is not my intention. My intention is to know what the ryot himself thought about the matter."

Mr. C. R. PARTHASARATHI AYYANGAR:—" The Hon. the Revenue Member knows, with the deep sympathy that he has for the ryot, that *his position is one of despondency. Take the reports submitted by the* several officers who have been asked by the Government to investigate the position of the ryot. It will be clear from them that we cannot put him in the position in which we want to put him because he has no means of livelihood. Take the Debt Conciliation Act, the Economic Council and other similar activities to help the ryot; they are all mere gropings in the dark and will not give the ryot any relief unless you make him feel that there is something for him to fall back upon and that is his land. If you make him realize that, there will be a wonderful rejuvenation in the entire body of the ryots. Not until you do that, will the ryot put any trust in any one who goes to him, whether official or non-official, for the purpose of looking after him. He will not believe a word of the promises made to him to improve *his position. Give him something to fall back upon; tell him, ' This* is your own land and no one will take it back. It depends on your *own capacity, honesty and energy what you make of it.'* Then *you* will draw out of the very reservoir of his life all his ability and he will rely upon himself. You will find that things improve rapidly. There will be no improvement as a result of all the measures that you contemplate unless you make the ryot self-reliant. The question is not one of money, but one of self-reliance. The only way to make a man self-reliant is to give him something which he can call his own. I say, Sir, that sooner or later this must come to pass. The best thing is to draw out of the man the utmost he is capable of and make him self-reliant. You may give a man a thousand rupees, but if he is not able to use it properly, he will be a pauper to-morrow. You must make him self-reliant and make him feel that persons outside are really helping him. There is no use of mincing matters. As the Hon. the Revenue Member suggested, we are not anxious that this Bill should be immediately passed into law. If you want to know the condition of the ryot, the Registrar of Co-operative Societies speaks for him. The co-operative societies established by the Government tell a tale the accuracy of which no one need doubt in the slightest degree. The report of Mr. Satianathan clearly shows the position of the ryot. There is plenty of evidence to support our position. If the Secretariat makes up its mind to make out a case for the Bill, I am

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sure all the information will be available in no time, such information as the Hon. Member thinks will support this motion. Enough information will be easily available."

Mr. C. RAMALINGA REDDI :—" Mr. President, Sir, I formally move—

'*that the Bill be circulated to elicit public opinion.*'

" The grounds on which I make this motion are these. We all sympathize with the object underlying my hon. Friend Mr. Krishnayya Choudari's Bill, but I do not think we are quite agreed whether the measure proposed is the most efficacious one possible to achieve the object. The parallel of the Punjab was quoted. I think it is a peculiar province. This restriction on alienation was first introduced, if I remember rightly, in connexion with lands belonging to the canal zones opened by the Government of India. It was as though the Government were giving their own property to the Muhammadans and the Sikhs, namely, the military classes of the Punjab and wanted to take precautions that these lands did not pass into the hands of the non-military money-lending classes. I do not know whether the object was purely the safeguarding of the ryots there or whether there was a military motive underlying the restriction. Furthermore, it is a question for consideration whether it is the non-agriculturist who is the chief money-lending agent in so many of our villages. I rather think that the richest ryot in the village is also, what he calls himself, the banker of the village. So, how far land is alienated into the hands of non-agriculturists and how far it goes into the hands of competitive agriculturists who may do even better, is a matter for investigation.

" There is a more fundamental question whether we want a new caste system to be introduced into India—a permanent set of people to be called agriculturists and another, non-agriculturists who shall for ever remain non-agriculturists—and whether one does not follow general sociology in believing that a certain interchange of blood between the two may probably improve the stock of the whole. I am not controverting the principles on which my hon. Friend, Mr. Krishnayya Choudari, has based his Bill. There is a good deal of depression and the present condition of the agricultural classes is so deplorable that any advance in the direction of socialist legislation is one which the Congress as a Party is bound to support. All restrictions on the rights of property such as on sale are socialism to a certain degree and I am glad that those who denounce socialism in theory are not averse to having it in practice. I therefore feel that a case has been made out for an enquiry. I appreciate the general sympathy shown by the Hon. the Revenue Member and also the force of his argument that we should more directly ascertain the wishes of the agriculturist classes themselves with regard to the proposed restriction on the rights of property. But I do think that my hon. Friend has made out a case for proceeding and not merely for adopting dilatory

or obstructionist methods. As I see that Sir Charles Souter is sympathetic, without further ado I commend this motion for the kind consideration of the House."

Rajkumar M. A. MUTHIAH CHETTIYAR OF CHETTINAD:—" Mr. President, I rise to second the motion of my hon. Friend, Mr. Ramalinga Reddi. The Hon. the Revenue Member has made out a very good case for not proceeding with the Bill immediately. He has shown that the best thing that could be done now is to elicit public opinion. The most important thing which this House has to consider is whether by this measure land would not get devalued. After all the agriculturist is not able to get a good price for his land now; if he gets a good price for his land, he will be able to sell some of his land and keep the rest for himself. The Council should proceed with a measure of this kind only after having full statistics regarding the subject. I have no doubt it is necessary to legislate in order to help agriculturists, but at the same time we should see that the legislation is of a practical kind. Any legislation affecting land is a most dangerous one and should not be undertaken without careful thought. Any amount of enquiry will not be too much and I am sure the House will agree to the proposition before it. We should have full information about the views of the ryots, about the kind of lands that will be affected and whether it is necessary to have a strict measure as is proposed in the Bill and so on. For all these purposes, I think an enquiry will be of great help and I have great pleasure in seconding the motion now before the House."

* The Hon. the PRESIDENT:—" The amendment is that the Bill be circulated to elicit public opinion. Both the motion and the amendment are for the discussion of the House."

* Mr. T. S. RAMASWAMI AYYAR:—" Mr. President, Sir, I feel that by introducing this Bill and asking for the appointment of a Select Committee with a view to pass a measure of this kind, the hon. the Mover is suggesting a remedy which will perhaps be worse than the disease. I see from the Statement of Objects and Reasons that the idea is to protect the agriculturist at a time when he is in distress and trouble. One proposal in the Bill is that his lands should be made inalienable to non-agriculturists. Sir, after the depression the land value has gone down very much, and agriculture has become an unremunerative occupation. The value of the land has fallen and when this is so, what is the object in saying that you should decrease the number of probable purchasers of the land? Even when there are a large number of purchasers of land, it is difficult for agriculturists to sell their lands for good price, but when you restrict the number of people who alone can buy land, are you not also decreasing the price which the agriculturist will be able to get? I want the hon. Member from Guntur to tell the House whether he seriously contemplates that the land value will go up if this Bill is passed.

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"Again, Sir, I find that there is no definition of an 'agricultural tribe' in this Bill. Who belongs to an agricultural tribe? Who does not? Nothing is stated about it in the Bill. We already have a number of castes and communities in this country and my hon. Friend, now wants to add another to this category. I should like to know what classes and communities he would put as belonging to this tribe. If my information is correct, if my knowledge of public affairs is correct, I think that a large percentage of the population of this Presidency call themselves agriculturists. You may try and find out what a clerk or officer of Government calls himself. He will call himself a Government servant or an agriculturist. It may be that he owns a small plot of land which he has inherited from his forefathers which he does not like to part with. But he works as a Government servant or he belongs to some of the professions and earns his income. Is he an agriculturist or not, I should like to know? If that is so, whom does the hon. the Mover of the Bill contemplate describing as agriculturist and whom would he prevent from purchasing lands belonging to agriculturists?

"From the Statement of Objects and Reasons I find that a clear 12
case has not been made out for a Bill of this kind. The hon. Mover 1
says:—'As the value of agricultural produce and land is extremely low, it is impossible for agriculturists to repay their debts. The inevitable consequence is that lands will pass into the hands of professional money-lenders, capitalists, who had no connexion with land or the village community. The money-lenders, who are now becoming the owners, are not likely to improve the lands or arrange for the effective cultivation thereof. They would rent out the land to the highest bidders and these rack-rented tenants though they may belong to the agriculturist class, have no permanent interest in the land and always stand the risk of ejection.' We find that we are all prepared to give advice to the agriculturists in his sad plight. But is the measure actually going to benefit the poor agriculturists? I am one with the hon. Mover in trying to find out ways and means to help the poor agriculturists. As indicated at the outset, the Bill is an impracticable measure. This is a Bill which has been copied from the Punjab Act. It often happens that, if we copy the state of things in other places which may not suit our conditions, we do more harm than good. I therefore do not feel that a case has been made out for this Bill as it is framed, to go to a Select Committee."

* Mr. K. P. Raman Menon:—"Mr. President, Sir, I share the view of my hon. Friend, Mr. C. R. Reddi on the Bill before the House. I do not think that sufficient materials are forthcoming to enable us to come to the conclusion that the ryots, as the Hon. the Revenue Member suggested, do really want a measure of this description. It may be that land is passing from the hands of genuine agriculturists, to those who are not genuine agriculturists. Whether the ryots do not require the power of alienation is a matter which requires additional elucidation and enquiry. Mr. Parthasarathi

Ayyangar in his speech here stated that to restore the villages to their normal conditions, it would be necessary to have some measure of this nature. I am afraid I am not able to see the connexion between the two things. To restore the villages to their old conditions, my hon. Friend would like that the land should belong to the village community. That is his argument. To do this, the ordinary ryot must be able to point out that his land is so and so, this is my land; this is mine. If, as a matter of fact, you want the ryot to say this is my land, how can there be ownership of the land by the village community? The two things are opposed to each other. The community cannot own a property, when an individual says that the property belongs to him. The two things are exactly opposed to each other. I am afraid there is a bit of confusion of thought in what has been stated before the House.

"Then again, Sir, the deplorable condition of the agriculturists is, I do not think, attributable to the fact of their being empowered to alienate their properties. There are various causes that have tended to bring them down from their state of prosperity. Heavy taxation, unforeseen vicissitudes of the season, unforeseen calamities on account of slump in prices, all these have contributed to bring the agricultural population to a low level. To say that all this can be cured by passing a measure which prevents him to sell what really is his, is, I think, as Mr. Ramaswami Ayyar put it, as good as saying that the cure is worse than the disease itself. The ryot must be asked whether he has any objection to a measure of this kind being passed. That can be ascertained through the Government officers or by eliciting public opinion. My hon. Friend, Mr. Krishnayya Choudari and those of his view may hold public meetings at which ryots may be called to explain their position. Then there will be sufficient material for the Government to act upon and to come to a conclusion as to what they should do. It is easy to say that this measure, if not passed by us, will be passed by some others. If some others were to pass the measure, they must be convinced of the necessity of passing that measure. The measure has to be passed by a House which is convinced of the necessity of the measure. But so far as we are concerned, we want more information on the subject. I am one of those who will not make up my mind that the ryots do really want this measure just now.

"Then it is stated that the Marwaris and money-lending classes are buying the land. As the Hon. the Revenue Member put it, it is really one agriculturist buying land from another agriculturist which we see in our portion of the country. It may be otherwise in other portions of the province. As far as my experience goes, my experience is only confined to my district; it is not the Marwaris, it is not the money-lending classes that are purchasing the land in my district. Always it is one agriculturist buying land from another agriculturist. But in every district there are people who are not agriculturists; why should you taboo them from purchasing the land? Why should not

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money-lenders become honest agriculturists? Why should you ask him to stick to his profession? Why not make him an honest tiller of the soil? Make him an agriculturist; that is very much better; give him a chance to do so; do not prohibit him altogether from earning honest livelihood by becoming an agriculturist. Let him do it. Instead of permitting him to continue his profession of money-lending, I should like to encourage him to become an agriculturist.

" Who is an agriculturist? Is it the ryot who owns the land? Is it the person who actually possesses the land? Is he the manual labouring man? Is it the person who supplies capital for the work in the land? It is difficult to define. When all these difficulties are there, unless we have much better information as to what exactly the ryots want, as to whether the proposed legislation would help them, it is too much for this House to commit itself to the principle involved in the Bill and allow it to go to the Select Committee."

Mr. P. V. Krishnayya Choudari :—" Mr. President, Sir, the Hon. the Revenue Member has stated that he is not in favour of allowing this Bill to go to the Select Committee. From this side, from the Congress Leader, Mr. C. R. Reddi I hear that he is also not in favour of allowing the Bill to go before the Select Committee; he has accepted the suggestion of the Hon. the Revenue Member. I am in favour of protecting agricultural interests; but I cannot fight with the Government when they are not in favour of the Bill; nor am I in a position to fight with the Congress Leader on this matter. Fortunately or unfortunately I have to adjust myself when the Congress and the Government are making the same suggestion; I have no other alternative but to accept the suggestion made that the Bill may be circulated for eliciting public opinion. After circulation of the Bill and after the agriculturists have expressed their opinion on the Bill, if this legislature does not pass the Bill, at least the next legislature which is likely to come into existence on 1st April next can know the views of the agriculturists. Therefore I do not want to get a definite vote against this Bill by this House; I shall accept the suggestion made by various hon. Members to circulate the Bill for eliciting public opinion.

" I wish to reply to my hon. Friend, Mr. Ramaswami Ayyar. Land value has gone down; the ryot paid Rs. 2,000 or Rs. 2,500 an acre at a period when high values prevailed; but now the value has gone down to Rs. 500. So the ryots are not in a position to discharge their loans. Only persons who have got much money, lawyers who have lots of money, persons who have got banking accounts, are speculating and purchasing lands from the various ryots; they want to sell the lands again after the depression is over; thus they want to make money by speculation. I personally feel that speculation should not be allowed so as to affect detrimentally the interest of the ryots. As opinion in this House is in favour of the circulation of the Bill.

The Hon. Sir CHARLES SOUTER:—" I am prepared to accept Mr. C. Ramalinga Reddi's motion."

* The Hon. the PRESIDENT:—" The question is that this Bill be circulated to elicit public opinion."

The motion was put and carried.

III.—THE MADRAS EMPLOYEES' PROTECTION BILL (BILL No. 6 OF 1936).

* *Mr. C. Basu Dev*:—" *Mr. President, Sir, I beg to move that* the Madras Employees' Protection Bill* (Bill No. 6 of 1936) be referred to a Select Committee of hon. Members of this House whose names I shall presently read out. Sir, this Bill aims at affording relief to the large number of persons, men and women, who have got to depend day after day, month after month on the meagre wages or salaries they earn and who either on account of the vagaries of employers, the exigencies of their employment or on account of advancing age are likely to be thrown out of employment. Unemployment is one of the gravest and most appalling of problems. Unemployment is a paramount evil. Any moment a worker may, for reasons over which he has no control whatever, be deprived of his job and asked to go home and thus reduced to a state of penury. Again after long periods of strenuous service, exhausted by work and enfeebled by advancing age, he is unable to bear the strain and is forced to retire. He retires not to a happy home, but is driven to the street with a beggar's bowl. It is to provide relief against destitution of this kind that I have ventured to bring forward this humble measure. I am not, through this Bill, aiming at the ambitious project of trying to solve the great question of unemployment itself but only to tackle one of its small aspects. I earnestly hope that the Hon. Member for Government will extend to these unhappy workers who are destitute, his sympathy, accept the principle of this Bill and allow it to be referred to the Select Committee.

–45 m. " Sir, I do not want to advance any arguments in favour of my motion. The inherent justice of the claim of the workers for some measure of relief is so patent, so obvious, that it requires little argument to commend it for the acceptance of this House. Perhaps, Mr. President, in their preoccupation with other questions nearer to their hearts, many hon. Members of this House may not have had time to pay as much attention to this measure as it deserves. With your permission, Mr. President, therefore, I would read out one or two provisions of this small measure and also the Statement of Objects and Reasons. The Preamble runs thus:—

> 'Whereas in the interest of the efficiency, contentment and happiness of persons employed in offices, factories and places of business, it is expedient to provide for compulsory protection fund and for better terms of employment for such employees ' etc.

* Published in the *Fort St. George Gazette*, dated 11th February 1936.

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"The chief provision in this Bill is contained in clause 5 which runs:—

'After the commencement of this Act, notwithstanding any contract or agreement to the contrary, every " permanent employer " in every office,'

"I would like here to define better by substituting the words 'commercial houses' for office—

'factory or place of business, where not less than ten persons are employed on a permanent basis, shall constitute a Protection Fund for the benefit of his permanent employees and pay into such fund on the first day of April each year to the credit of each such permanent employee a sum of money equivalent to a twelfth part of his salary or wages earned during the preceding twelve months.'

"Section 6 is to the effect:—

'A permanent employee to whom section 5 applies may, at his option, deposit a sum not exceeding that paid to his credit by his permanent employer into the Protection Fund under section 5.'

"The other important provision—clause 8—is—

'No permanent employee in an office, factory or place of business where not less than ten persons are employed shall be dismissed or removed without just cause or without one month's previous notice in writing notwithstanding any contract or agreeement to the contrary.'

"The Statement of Objects and Reasons runs:

'In the absence of a general scheme of old age pensions or of unemployment insurance, it is necessary for the purpose of preventing the misery of workers in factories, shops and offices'

"I will substitute the words 'commercial houses'—

'during their old age or a period of enforced unemployment to institute a compulsory system of Provident Fund to which the management will be bound to, and the employees at their option may subscribe. The workers are almost as a rule unable to save anything out of their low earnings against unemployment or old age or to meet occasional or untoward expenses connected with illness, marriages or death in their families. In the various railways and in some factories and offices, a system of Provident Fund is already in vogue and is working well. There is no reason why such a system should not be introduced in the case of every permanent employee in a permanent office or factory. This Bill seeks to make such a provision. It also provides against the dismissal of permanent employees or the dispensing with their services without reasonable or adequate cause or without reasonable notice against continuance for an unlimited period, of employees on a temporary basis liable to be sent out at will without any notice whatever. This measure is thus intended to ameliorate the condition of the employees in certain directions in which their lot calls for urgent betterment.'

"Mr. President, in clause 2 of this Bill, it is stated that this Bill shall not apply to any person employed by the Government either permanently or temporarily whether paid salary or wages." It is not of my own free will that this sentence is included in it; because the Government refused to give me previous sanction for the introduction of this Bill. I was forced to introduce this sentence; but I do hope that if finally this Bill is passed into law and put on the Statute Book, whatever measure of relief is afforded to the previous employees will not be refused to the servants in the employ of the Government. My hope is that in due course the Government employees also will certainly come in for a share of the beneficial effects of this Bill when and if passed into law.

"Sir, when my friend Mr. Krishnayya moved for reference to a Select Committee, his Land Alienation Bill just a while ago, I was glad to note that the Hon. the Revenue Member was pleased to extend his sympathy to it and raise no technical objections on the score of want of time, etc. I am aware, Sir, that the life of this Council is very near coming to a close; and that is a reason which he could have advanced, if he wanted to; but he did not. I appeal to the Hon. the Law Member to extend his sympathy as well to my Bill and to raise no *objections of want of time*. I would only refer him to what the famous couple of socialists Mr. and Mrs. Webb said:—

'We have both the power and the knowledge to cope with destitution as we have coped with cholera, typhus, highway robbery and slave trade, if only we have the will.'

"I am sure the Hon. the Law Member who has shown much grit as the President of the District Board of Tanjore and as a distinguished public man, will show that he has the will, that the Government has the will and this House has the will, to relieve the hardships of hundreds of thousands of workmen—belonging both to the middle classes and the working classes. I earnestly appeal to the Hon. the Law Member and to hon. Members of this House to accept the principle of this Bill and to refer it to a Select Committee.

"One word more, Sir, and I am done. This Bill is only a very humble part of the extensive economic programme outlined by Mr. E. V. Ramaswami Nayaker and approved by the Justice Party and included in their political programme. This is also a part of the programme of the Congress. I, therefore, appeal to both sides of the House to be kind enough to accept this Bill and see that this is referred to a Select Committee. With these words, Mr. President, I have great pleasure in moving that the Madras Employees' Protection Bill be referred to a Select Committee."

* Diwan Bahadur C. NATESA MUDALIYAR:—"Mr. President, I second the motion so ably moved by my hon. Friend Mr. Basu Dev. It is long overdue. It is about ten years ago that I moved resolutions for the acceptance of the principles which this Bill stands for, but Government had invariably one answer to give, that Government had no control over private offices, firms, etc. This Bill contemplates bringing such offices under the control of the Government and of this Legislature. I do not know why Government offices are excluded from the operation of this Bill. The grievances referred to exist mostly in Government offices; for instance, what about the Chepauk gardeners who are paid six to twelve rupees a month while the fines imposed on them for slight faults are out of all proportion to their pay? What about the Government Workers' Union? They are paid very low and they even refused once to take the low pay given to them. Again, what about the Government Press employees? A man who served for 17 years was sent home. Who is to take notice of all these things? I hope the Hon. the Law Member—or if the Government Press comes

under the Home Member, the Hon. the Home Member—will take note of such irregularities in the various Government offices. On the other hand, Sir, I am not ignorant of the fact that many of the firms in Madras take a parental care of their employees, such as, Messrs. McDowell & Co., Messrs. Parry & Co., Messrs. Binny & Co., and various other companies. The Managing Director of Messrs. McDowell & Co. went to the length of giving a rubber-tyred rickshaw to an aged employee and afterwards he was pensioned. Messrs. Parry & Co. invariably give pensions to their employees. Messrs. Binny & Co., besides giving such pensions to their employees, are doing a lot of welfare work for the employees of Buckingham and Carnatic Mills and give them bonuses. Those employers who are sympathetic will continue to be sympathetic; but what about those employers who are not so sympathetic? Who will take care of their employees? It is for that purpose, Sir, that this Bill is necessary. As the hon. Mover said, by this Bill, thousands of workmen in Madras City alone will be saved. The mover has included corporations; if he refers to the Corporation of Madras, I may tell him that the employees there are much safer than the Government employees. Although there are sympathetic employers, still, let there be a legal obligation on them to take care of their employees. In addition to old age accommodation and forced unemployment with which this Bill deals, there are such questions as minimum wages, leave allowances, hours of work, etc. If time permits, I will also move my resolution regarding relief to the unemployed, and I hope then the hon. the Law Member—or the Home Member—will accept it, so that our Government will stand on a par with other Governments all over the world. With these few words, I welcome the Bill of Mr. Basu Dev which is not a day too late. It is long overdue, i.e., from the time the Justice Party came into power. We want to give relief to the poor workmen, as much relief as possible, during the existence of Justice Party in this province." (Laughter.)

* The Hon. the PRESIDENT:—"The motion is that the Madras Employees' Protection Bill (Bill No. 6 of 1936) be referred to a Select Committee consisting of the following members . . ."

Mr. C. BASU DEV:—"I have not read out the names of the members, Sir."

* The Hon. the PRESIDENT:—"Is the hon. Member proposing an amendment to the list given to me? (After a pause.) In that case, the main motion will be discussed by the House."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I regret very much, Mr. President, that I have to oppose this motion to refer this Bill to a Select Committee, and I shall advance a few reasons. The very first argument is that on which my hon. Colleague the Revenue Member has earned the encomiums of the hon. the Mover of the motion. It seems to me, Sir, that it would be of little more than mere academic interest to refer this Bill to a Select Committee at this stage of this Council's life. There seems to be very little possibility of our seeing

the final passing of this Bill into law, even if it goes through the usual course of going to a Select Committee, coming back for consideration and passing through the third reading stage. As we are all aware, there is to be just one more sitting of this Council, and there will not be time enough for a non-official Bill of this type to be passed into law.

n. "Apart from that, on its own merits, I am afraid that to commit ourselves to the principle of this Bill at this stage would hardly meet the needs of the situation or even be advisable. I might state, however, that I am at one with the hon. the Mover of the motion and also with the hon. the Deputy President of the Council in their sympathy to the poor people with perhaps this difference, that I shall not be confining my sympathy to the infinitesimal section of the population which is going to be affected or benefited, if it is going to be a benefit at all by this Bill. As I understand tbe Bill, it is going to be hardly of any use outside the City of Madras or the few factories that we have elsewhere. As I understand the Bill, it is not going to benefit the agricultural labourers, who form the major portion of our labourers. It says in section 5, 'every permanent employer in every office, factory or place of business, where not less than ten persons are employed on a permanent basis, shall constitute a Provident Fund,' etc. This protection is therefore to apply only to people employed on a permanent basis in an office, factory or place of business where there are not less than ten persons employed. As pointed out by the hon. the Deputy President, in most of these larger factories and larger places of business run by the companies which were set out by the hon. the Deputy President, there is already sufficient care taken by the employers and sufficient concern shown in the interests of their employees. This Bill would therefore affect the persons employed in numbers of ten or more in the less important places of business in the city or in some of the important towns of the province. The rest of the population it is not going to benefit. I do not say that the Bill ought to be turned down only because it benefits a small section, but I should like to point out that in matters of this kind, we cannot confine our sympathies to the employee ignoring altogether the interests of the employer. We have to remember that in this province which is essentially an agricultural province, we are yet to make a lot of headway both in the commercial and in the industrial fields, and every burden that we might wish to impose on the employers or on commercial men and industrialists, particularly those owning or running small concerns, might prove a drag, rather than be a source of help.

"My hon. Friend Mr. Basu Dev referred to the fact of there being a lot of unemployment and of his putting forward this measure not as a solacium or as a remedy for that unemployment. I am not quite so sure, if far from this being not merely a measure for not relieving unemployment, it is meant to be enforced to its fullest letter, it will not prove a source of further unemployment. If you will not be placing too much of a burden on the smaller capitalists or smaller

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men of business or smaller industrialists running factories with say ten or fifteen men, by imposing an additional burden. It may mean curtailing their activities or forcing them to close down their business, and thereby increase unemployment rather than help to decrease it. On the other hand, you will find that by passing this Bill and making it law, you are immediately imposing on every employer an expenditure of full 1/12th of what he has already incurred. For instance, if he pays to the employees say about twelve hundred rupees a year, as soon as this Bill becomes law, it would automatically make the twelve hundred into thirteen hundred. In fact, the premium which the protector or the employer has to contribute is put down as one-twelfth of the salary, which is I believe slightly higher than even what obtains under the present Provident Fund system of one-sixteenth. There is also the other aspect to be considered. Here is a Bill which Mr. Basu Dev, I suppose representing labour, brings forward on behalf of the employees and I should, if I may say so, submit that it is absolutely an one-sided Bill and it is a Bill which is intended to throw all the burden and the responsibility on the employer ignoring altogether the necessity of the employee being also a contributor. Any man who employs ten persons under him for a period of three months or more, is perforce to contribute 1/12th of their salary towards the provident fund. In the case of every provident fund, generally the principle is, if the employer contributes a certain amount, the employee also is expected to contribute an equal amount. Here, Mr. Basu Dev is so sympathetic towards the poor man that, if I may put it, he is prepared to drain the moneyed man, as he wants the employer to contribute all the funds, pay interest on that, keep it accumulated and then hand it over to the employee with absolutely no responsibility on the part of the employee himself, because turning to section 6, what you find is this: : 'A permanent employee to whom section 5 applies, may, at his option, deposit a sum not exceeding that paid to his credit by his permanent employer into the Protection Fund under section 5.' Section 5 imposes a burden on the employer, while section 6 gives a privilege to the employee. I would submit that it will hardly be fair for us to pass a measure which on the face of it appears so one-sided and also imposes a burden on a body of persons who have been so far free from such a burden without taking into account the consequences which the imposition of such a burden might have on the progress of trade and industry in our province. It is all very well to think of protecting the poor man and making certain safeguards for his old age and for ensuring him against his needs and difficulties. But you must not at the same time make laws which would be of such a nature that they might kill the very source of employment or kill the help which he in course of time might render if he is encouraged to develop his trade, by employing a larger number of employees. It is on these considerations, Mr. President, I should think that it would be unwise at this stage of the Council, particularly when the possibilities art that we shall not be able to get to the final stage of the Bill, to refer it to the Select Committee, to pass a measure of this kind.

On all these considerations, I hope the Council will be of the view that if this matter deserves consideration at all, it ought to be reserved for the consideration of the newer House which will be coming into existence within a period of seven months."

* Mr. V. M. RAMASWAMI MUDALIYAR :—" Mr. President, Sir, I am afraid that the Hon. the Law Member has not made out a case for not accepting the principle of this Bill. He started with the argument that it may not be possible to have this Bill passed into law during the lifetime of the present Council. Whatever his anticipation may be in regard to this matter, I know from my personal experience that where the Government is intent upon blessing a Bill introduced by a private Member, it can devise measures to have the Bill passed into law. I may remind him very respectfully of the very sympathetic attitude which the Government took in connexion with a similar Bill for the amelioration of women working in factories in this Presidency—I mean the Madras Maternity Benefit Act which is now on the Statute Book. The then Home Member, Sir Mahomed Usman, blessed the Bill at every stage and he afforded every facility to a private Member to have the Bill placed on the Statute Book and I am sure, Sir, if those considerations prevail with the present Law Member, he will in his turn instead of raising objections of this nature, afford every possible facility to have this Bill also pushed through during the lifetime of the present Council or at any rate to accede to the principle of the Bill.

" The second argument which the Hon. Law Member put forward in opposing this measure was that this Bill may not be of much use to the employees outside the City of Madras. Sir, if he only remembers that even outside the City of Madras there are various factories existing, for instance in Coimbatore, Madura and Tirupur, which are making rapid strides in the matter of developing the industries in this Presidency, he would not have advanced such an argument. Besides, Sir, may I also remind him that there are a number of other factories and commercial houses, many, many in number, in the mufassal which also will be greatly benefited by a Bill of this nature.

" Then again, Sir, he says that the Bill touches only a fringe of the problem, because it has not referred to agricultural labour. Now, Sir, it is nothing unnatural that we should try to do our little best to whatever class of people that may be affected by the Bill, be they large or be they be few; and that is no argument for rejecting the Bill. If his anxiety is that a large number of people do not come within the provisions of this Bill, I am sure he will have an opportunity in the Select Committee to extend the scope of the Bill so as to include the agricultural labourers also and I do not think the hon. the Mover of the Bill would object to the wording of the Bill being changed to that effect by the Hon. the Law Member.

" Sir, the third argument which the Hon. Law Member has advanced is that the interests of the employer must also be viewed at. In this connexion, I think, he advanced an argument which would

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destroy the ground that he has himself taken up when he mentioned this reason for opposing the Bill. I may say, Sir, that no decent employer, either in a factory or a commercial house, has ever refused the privilege of a provident fund or a gratuity, and from my own personal experience as a worker in the labour field, I have known that decent employers have only to be approached for the grant of this privilege. I may here mention one case, namely, the Burmah Shell Company employing about seven hundred workmen, the moment the Union agitated for the introduction of a provident fund system, they at once complied with it.

" Similarly other employers conceded this privilege if it was put 1-15 p.m.
in the proper way. All that the Bill seeks to do is to induce the employers and owners of commercial houses who, for some reason or other do not concede this privilege, to give the privilege. What is now put on a basis of grace is sought to be given a statutory basis. The interests of the employers will certainly weigh and will always weigh in the mind of any person who has the genuine interests and the welfare of the workmen. It is not pretended by any person speaking in support of this Bill that he will have the very best conditions of labour under this Bill. Nor are the difficulties envisaged by the Hon. the Law Member that there will be decrease of employment likely to occur at all. It was said that this was a one-sided Bill and that it did not teach thrift and co-operation to the workmen, because there is no compulsion to contribute an equal sum to the fund. It is a matter of detail. As I understand the Bill, the option is given to him in clause 6 and in the Committee stage it is certainly open to it to make that option a compulsion. If the workmen are compelled to contribute an equal sum, they will earn interest on the sum that they are compelled to save. So far as I can see I do not see any argument that has been adduced by the Hon. the Law Member is so convincing as to induce hon. Members of this House to deny the workers the privilege that is their due. To the workmen who are at the mercy of the employer and are carrying on a precarious existence, this small privilege of having something on the termination of his service to his credit in the books of the employers will be a boon. We are aware of the limitations of the measure. We do not pretend that it will bring the millennium to the workmen. I find that no attempt has been made in this Bill regarding the question of health insurance, or unemployment insurance, that is to say it is not intended to give security of service or some provision for him to carry on where he is willing to work but where no job is available. It is surprising that a Bill of this limited purpose should be opposed by the Hon. the Law Member. I, however, hope and trust that the Hon. the Law Member will remember that any Bill which seeks to further the advance of social justice as far as the workers and their employers are concerned will spell for the peace and contentment of this Presidency as a whole. Without social justice, there cannot be permanent peace. I think that not even the slightest case has been made out for not referring the

Bill to the Select Committee and I hope and appeal to the hon. Members of this House to accept this principle and refer it to a Select Committee."

* Mr. F. BIRLEY :—" Mr President, speaking as an employer of labour and if I may say so, as an employer of labour who has not been inconsiderate nor unsympathetic towards our workmen, I am afraid I cannot support this Bill. In the first place, I think that a Bill of this kind should surely emanate from the Central Government. It seems to be quite impossible or rather impracticable to have different codes of laws in different Provinces for the provision for labourers of a provident or rather a ' protection ' fund. Another point is that as the Hon. the Law Member pointed out, a fund of this kind for labour should be contributed to by labour. A non-contributory fund of the kind suggested will impose an obligation on the employer which in the present state of commerce in this Province must make his business far more difficult to run because of the increase in costs and will in course of time reduce employment and not increase it. The Bill itself is so badly conceived and drawn that within the rules applicable to its proceedings, the Select Committee would be unable to make it acceptable and for this reason alone I think that the Bill should not be referred to a Select Committee."

Mr. C. RAMALINGA REDDI :—" I am sorry, Mr. President, that my hon. Friend introduced a party note in the speech he made. Such questions have to be treated as far as possible from a higher point of view than that of mere party, from the point of view of humanity and of justice that society owes to all its component elements. It is no doubt true, as my hon. Friend said, but it is a somewhat lamentable fact that the Justice Party throughout its regime has not been able to effect a proper settlement of this great problem, in spite of my Friend, Dr. Natesan's silent and earnest efforts in this direction. My hon. Friend, Mr. Basu Dev referred to . . ."

Diwan Bahadur C. NATESA MUDALIYAR :—" On a point of personal explanation, Sir, I will not have any objection if Congressmen do it. They have been doing good all these twenty years and if they are allowed to continue they will do much more good to the nation."

Mr. C. RAMALINGA REDDI :—" I very much doubt if it is a personal explanation or an additional apology. I did not misrepresent my hon. Friend. I can quite understand the exasperation of his feelings. He ended by saying that this will be done before the Justice Party ceased to exist. He has such a pessimistic view of the future of his own party."

Diwan Bahadur C. NATESA MUDALIYAR :—" I never said that the party ceased to exist. It will never cease to exist. What I said was that I had no objection to the Congressmen doing it and continuing what we have been doing."

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MR. C. RAMALINGA REDDI:—" I do not share the pessimism of my hon. Friend even with respect to the future of his own party. I do not know whether Mr. Basu Dev has impelled the Justice Party to vote for this motion or had any other motive in referring to the Virudunagar programme and the contribution of Mr. Ramasami Nayakar to the socialistic side of the Justice Party's declared policy. I am very glad that the Justice Party adopted that policy. For me it matters a straw from whose hands it comes, provided it comes in good time and in ample measure. He who remembers Virudunagar might have also remembered the far earlier programme of which it is a pale reflection, the Karachi programme. What was printed in red, the Zamindars of the Justice Party have reproduced in pale blue in Virudunagar. I am not belittling even this limited attempt of that kind provided it is sincere and is going to be followed up in letter and in spirit.

" As for the merits of this question, I do not think I will yield so readily as my hon. Friend Mr. Ramaswami Mudaliyar in the matter of compelling the labourers also to contribute to this fund. There are in operation in many countries at the present time schemes of workmen's compensation on a non-contributory basis. I think that the present provision of giving option is much the better course. I would say: ' settle one way or the other immediately without reference to the Select Committee.' As for my Hon. Friend Mr. Pannirselvam, I am not quite sure whether he did oppose the principle of the Bill because he seemed to speak in two voices, one favourable and the other unfavourable to the Bill. I thought when he commenced his speech that his only objection was that there being no chance of the Bill becoming law before the present session, it was no use referring the Bill to a Select Committee. I can quite understand such a position. That does not necessarily mean opposition to the principles of the Bill and my Hon. Friend might vote for it. Could he not for no reason except this convey a ray of hope to the labourers, and give them a promise which will in due course, whether he and his party come into power or whether our party come into power. . ."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I take exception to that statement. I have not got a party at present."

MR. C. RAMALINGA REDDI:—" I referred to the party to which he once belonged and to which he will belong in due course. If they come to power or we unitedly come to power, however it may be, could he not show such practical sympathy, something which is worthy of being extended to the poor people? If he had rested there, I probably might be content to vote with him. I too feel that the time is too short for putting through a first-class measure of this kind. He changed his tone and opposed it on principle. He pointed out that the employers' interests had not been consulted. The employers are able to take care of themselves. There is the Government, the eternal guardian of the vested interests. Look at the legislation of this country. Throughout they

have shown a solicitude for the vested interests which they have neve extended to the masses or to the labouring classes. Is it not the weake people that in these democratic days the legislatures are bound t support and protect? Furthermore, will employers suffer under this My hon. Friend Mr. Birley also seemed to agree in thinking that if th expenses of the employers are increased, it naturally follows that ther will be a fall in their business. Is it such a natural and inevitabl consequence? Has it not on the whole been the experience of the world that when you make your labour more contented, you will also b making it more efficient and that therefore, though the expenses in terms of cash may increase, in terms of relative profit the busines prospers? What is it that employers like Ford and Cadbury have done? They spend lavishly on their workmen; they have provided clubs and other institutions and have brought within their reach all the amenities of civilization. Have they suffered as profit making concerns? No. It is rather a short-sighted policy to suck the blood from our own people and this has been the cause of so much of our misery. I feel though we have not got the time to place this Bill on the Statute book, a commitment in this House by every party that legislation in furtherance not only of this scheme, but also probably of bigger schemes, like workmen's compensation, would be undertaken in the near future, would go a great way to allay the fears of labour. My Hon. Friend further observed that it does not cover all the field of labour. I entirely agree. It only touches the fringe of the problem. Better touch the fringe than never go near at all. It seems to me that all these solutions are viewed with pessimism. I do not want to take much of your time. It is time for lunch and I think in the same humanitarian spirit, I shall close my speech at this stage with the mere statement that I support the principle of this Bill."

(After Lunch—2-30 p.m.)

* Mr. M. DEVADASAN :—" Many Members have spoken in support of the Bill being referred to the Select Committee. I wish to say a few words to show how this Bill affects the problems of the depressed classes relating to their position in life. If the Hon. Member had considered the conditions of the labourers not only of Madras but also of mufassal centres like Koilpatti, Papanasam, Tuticorin and other places and the plantation labourers in the hills in the employ of corporations owned by big vested interests, then he would have given a different opinion, and he would not have opposed the Bill being referred to the Select Committee. A large number of labourers are recruited from among the depressed classes and taken to the hills. They are in the employ of big companies. Their lives are not happy. They go in the morning and return in the evening after working for seven to ten hours. They stay in the hills several years. On return home they are not the better for it. They are worse than when they started from their villages, or they are as bad as before. That is their position. They are helpless. They have no money to spend at home.

"The Hon. the Law Member said in the course of his reply that this Bill would benefit only a section of the people of Madras. I ask the Hon. the Law Member, if this Bill is going to benefit the City of Madras why should it not be taken up on hand? Why should not this Bill be passed for the City of Madras? There are the Brothels Act, the Presidency Insolvency Act, the City Municipal Act and other Acts passed for the City of Madras. I would ask the Hon. Member to consider if the Bill is not only helpful for the people of City of Madras but also for the people living in the mufassal centres. In the objects and reasons and the preamble it is not said that this Bill would affect the plantation labourers. But if clause 4 (a) were interpreted liberally it would apply to plantation labour. That refers to corporations, companies so much so that this Act could be made applicable to labourers in the plantations, owned by companies. This Bill of course does not extend to the agricultural labourers. The agricultural labourers do not work for months together. They work for a few months and I do not want that this Bill should be made applicable to agricultural labourers. But when this Bill becomes law then steps can be taken to include agricultural labourers within its ambit though the author of the Bill did not contemplate the operation of the Bill to be extended to agricultural labourers. My friend said that much of the unemployment problem can be solved by passing this Bill into law. I am in agreement with him. The other day a number of people came from Malabar and for their return many including the Hon. the Law Member were forced to give subscriptions."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I cannot understand the insinuation of that statement. I am not aware of having paid any subscription. Why should I be ashamed to admit it if I had given it? But I do not want to take that credit without having paid any subscription."

Mr. M. DEVADASAN:—"I was told so."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Lawyer as he is, he ought to know that he ought not to act on hearsay evidence."

Mr. M. DEVADASAN:—"I had direct evidence from my friend Mr. Narayanan Nambiyar who was responsible for sending the people home after collecting money for them."

Mr. V. P. NARAYANAN NAMBIYAR:—"My friend, Mr. Devadasan, wants to make out that he has given a small contribution in that respect. That is all."

Mr. M. DEVADASAN:—"I do not want any recognition of my help. It was stated by my friend that responsible Members of this House paid subscription and I thought the Hon. Member also paid. If I had made any mistake, I withdraw that statement.

"For the permanency of tenure it is absolutely necessary that some provident fund of the kind contemplated in the Bill should be provided for to meet old age or enforced retirement as is stated in the objects

and reasons of the Bill. I do not say that this Bill is completely comprehensive. It has got defects. Such defects can be remedied by referring it to the Select Committee. The Hon. the Law Member said that this Bill is a one-sided Bill. Even if it is so, it may be amended so as to confer some benefit on the employers. The principle of law is that there is no benefit without a burden. If the employers are to bear any burden there should be corresponding benefit provided for the employers. I do not say that this Bill deprives the employers of any benefit and causes some loss to them. It is for the mutual benefit of the employers and the employed that a business is being carried on. The employee gets his wage or salary from the employer and thus maintains himself in life and the employer gets the profit. So it is for this mutual benefit that business is carried on. If the employee wants some benefit of this kind for the rainy day, then a Bill of this kind ought to be passed.

" In the present circumstances I find there is no permanency of tenure afforded to the employees. Government departments offer some concessions and provide pensions for their employees. The district boards, municipalities and some missions have provided for provident funds to meet the case of their men in service. But in the case of companies, no such fund has been provided. Most of the strikes that occur to-day are due to discontent and unsatisfactory nature of the labour. If a provident fund of this kind is provided, then such strikes can be avoided. I am neither an employer nor an employee. My business lies in a different way. As a member representing a class of employees I feel it my duty to welcome this Bill. I appeal to the Hon. the Law Member who said that he is in sympathy with the principle of the Bill. . ."

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" I said I was in sympathy with labour and poor people. I did not say that I am in sympathy with the principles of the Bill."

Mr. M. DEVADASAN :—" I appeal to him to see that the sympathy which he says he has got for the labourers should be materialized by accepting this Bill and allowing the Bill to go to the Select Committee. In supporting the Bill, I request the Hon. the Law Member to understand me, that I do not wish so much to oppose the Hon. the Law Member as to point out the helplessness of the employees. With these words I support the motion for referring the Bill to the Select Committee."

-45 .m. * Mr. C. BASU DEV :—" Mr. President, Sir, allow me at the outset to offer my apologies to my hon. Friend, Mr. C. R. Reddi for not having made myself clear or properly understood; he accuses me for omitting to refer to the Karachi programme of the Congress. When referring to the economic programme of Justice Party, I appealed to the members of the Justice Party on these benches to support this measure as it was part of their own programme. At the same time, I referred also to the

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economic programme of the Congress and made a similar appeal to representatives of the Congress to do likewise. I entirely agree with the Hon. Member from Chittoor that any measure calculated to promote the well-being of working classes should be considered not on a party basis but that all sections of the house and all parties should unite in a common cause to advance the happiness and contentment of the workers of our province.

" Sir, in the debate on this question, except the Hon. Member for the Government and my hon. Friend, Mr. Birley, representing the European employers, no one has spoken opposing this Bill. That is a matter, I hope, which this House and the Government will carefully note. Whatever may be the result of voting on this question, I am glad to say that nobody else came forward to oppose this, simple, humble measure of necessary and urgent relief. I regret very much, Mr. President, that for the first time during my association for the last six years with the Hon. Mr. Pannirselvam both as a non-official and as an official, I heard so flat and so unconvincing a speech as the one this house heard just now. Mr. C. R. Reddi is correct when he said that the Hon. the Law Member was speaking with two voices; he was trying to suppress the inner voice of sympathy which he as a non-official assiduously cherished and which was full of love to workers, to develop by the other voice which is enforced on him by the exigencies of his present position. I am grateful to him for the sympathy he expressed for the labourers, and I will be grateful to him in a greater measure if he will translate it into a beneficial act calculated to help the workers. Sir, the time is now not for mere expressions of sympathy. We find the country faced with very serious problems, and the Hon. Member knows better than this House what dangers the working classes and our society are at the present moment exposed to.

" Sir, contrary to my expectations, the Hon. the Law Member has raised the question of want of time for the passing of this measure into an Act. I expected that he would follow the example of his Colleague and raise no objection of this kind. He also referred that there would not be time to obtain the Viceregal sanction to this Bill. May I remind him that the previous sanction of His Excellency the Governor-General has already been obtained and there is no necessity for a further reference to His Excellency, provided the Select Committee does not make any such amendments that will entail his further sanction? The Hon. Member referred in his objections to this Bill to the infinitesimal section of the populace that will be benefited by this Act. I may tell him in all seriousness that the number of persons to be affected beneficially by this Bill will be certainly hundred times more than the persons affected by the Maternity Relief Bill or by an enquiry into the question of educated unemployment. Sir, the educated unemployed are certainly not as large as the population which is going to be affected by this Bill. The fact that only a small percentage of the population will be affected ought not to be a sufficient reason why we should not proceed with a measure of this kind. My hon. Friend, Dr. Natesa Mudaliyar spoke

with considerable experience of the conditions in the city, and said in his own characteristic way that some employers of big commercial houses have generally exhibited paternal care for the welfare of their employees. I am personally aware of it, and I may also add that my hon. Friend, Mr. Birley, is prominent among those benevolent employers. If all employers are of the type of Mr. Birley, I will certainly withdraw my Bill and sit down. But unfortunately, Birleys are very few, and employers generally do require legislative enactments of this kind to force them to do what is right by their workers. Sir, the Hon. the Law Member and Mr. Birley had pointed out what they called the one-sided character of this Bill, and they referred to the statutory 'obligation' which this Bill tries to 'impose' upon employers and the 'option' it 'allows' to employees to contribute to the Protection Fund. I may respectfully point out that what it tries to impose upon employers is indeed a burden as far as financial responsibility is concerned in that it makes an additional claim upon their purse. But insistence upon the contribution from the employees, will not be a burden in that sense but will amount only to enforced thrift. I realise that while on the one-side we do not enforce this thrift on the part of the employees, we impose a financial obligation on the employers. I am not hiding it, nor clouding it in mystery. I am absolutely plain that to make the future of the workers more secure and more hopeful and to make their lives free from anxiety and enable them to become more efficient in their work, it is necessary to have such a provision. Mr. C. R. Reddi has rightly pointed out the efficiency which the employers will secure by this additional expenditure of one-twelfth of their salaries being added to the wage bill. I know, Sir, that the Buckingham and Carnatic Mills and also some other mills in this country have instituted a splendid system of welfare work for the workers, and their managements have definitely said that the efficiency has been considerably enhanced. I agree and hold that this increase in efficiency is directly due to the greater amenities which the employers have provided for their employees. Sir, it is argued that if the employers are asked to pay more the industry will suffer and consequently the workers will suffer. May I remind the Hon. the Law Member and Mr. Birley that in the matter of reducing the hours of work no employer thought it fit to reduce the wage proportionately; the same argument was urged against reduction of hours of work. But no such catastrophe as was apprehended ever happened by the reduction in the hours of work. Some employers are always bound to protest against any kind of ameliorative measure, however sympathetic others may be, and they would naturally resent any sort of unnecessary interference with their discretion by any legislative measure. I am sure that Mr. Birley is giving to his workmen much more than what is contained in this Bill. His objection, apart from the objection that such a legislation should emanate from Central Government, is more sentimental, as he does not want interference with his personal discretion. But I am afraid there are scores of employers who have not thought it

fit to do their duty to the employees, and therefore it is necessary that they should be forced by legislative enactment. If by any chance it is possible to exclude benevolent employers like Mr. Birley and others from the scope of this Bill, I shall be only too glad to do so. But it is not possible; so both the benevolent employer and the non-benevolent will have to come under the common provisions of a Bill of this kind.

" My Friend Mr. V. M. Ramaswami Mudaliyar regretted in supporting me that there has been no provision for health insurance, unemployment insurance and things of that sort. I would have very gladly included them. But I thought that as even this simple measure is to be met with such opposition, the bigger and more complicated items will have no chance of support. May I remind my Friend Mr. V. M. Ramaswami Mudaliyar in this connexion that when the City Municipal Amending Bill was under consideration in this House, I moved that health insurance and unemployment insurance for workers should be added on as items for which corporation funds may be spent? That was voted down, and so I thought there was very little chance for provisions of that kind being accepted by this House. Therefore I was regretfully forced not to go so far and limit its scope.

" My Friend, Mr. Devadasan, wished that plantation labour and agricultural labour were included under the provisions of this Bill. I also wish it. Plantation labour is included, but I think with regard to agricultural labour, it is not possible to include it. During the rather long period of over 19 years of my life as a social worker, the one fact which left an indelible impression upon my thoughts was the utter destitution to which thousands of middle-class and working-class employees were faced with either after their retirement from service at an advanced age or after losing their jobs suddenly for reasons beyond their control. Here in this Bill, I have endeavoured to find legislative solution to this great tragedy in the lives of these unfortunate men and women. This measure is not perfect, but I submit is capable of improvement in the Select Committee.

" Sir, the Hon. the Law Member referred to me as one representing labour. In connexion with this Bill, I represent labour and more. I stand here as a human being, as a repentant member of a society which has deprived 90 per cent of its members of their very means of livelihood and keeps them in perpetual enslavement while it enables the remaining 10 per cent to pile up huge fortunes which they cannot enjoy. I am conscious, painfully conscious of this grievous wrong and am anxious if not now to undo it, at least to mitigate its evils to some extent. We have heard of charity too often. It is time we do not talk of charity, but that we should think of our duty and the extent to which we substitute duty for charity, will be the extent of our civilization, will be the vindication of our claim for treatment as human beings by others. Sir, I once more very humbly submit to the Hon. Member sitting on the Treasury Bench and also to Mr. Birley to withdraw their opposition and support this Bill, and I once more in the

name of humanity beg of this House to accept my motion to refer this Bill to Select Committee.

p.m. " Opposition to this motion is tantamount to opposition to the principle of granting relief to employees against their destitution.

" Sir, with regard to the remark about the agreement of one-sidedness of the protection fund, I submit that it is not novel. Some employers have already instituted funds to which employees need not contribute. I have called my fund advisedly Protection fund to avoid arguments of this kind.

" Now, Sir, with your permission, I will read out the names of Hon. Members, who are to constitute the Select Committee to which this Bill may be referred—

(1) Mr. F. Birley.
(2) Mr. M. Devadasan.
(3) Diwan Bahadur C. Natesa Mudaliyar.
(4) Mr. C. Ramalinga Reddi.
(5) Rao Sahib V. I. Muniswami Pillai.
(6) Mr. Abdul Hameed Khan.
(7) Mr. K. A. Nachiappa Gounder.
(8) Mr. V. M. Ramaswami Mudaliyar.
(9) Mr. K. P. Raman Menon.
(10) Rajkumar M. A. Muthiah Chettiyar of Chettinad.
(11) The Kumararaja of Venkatagiri.
(12) The Hon. Rao Bahadur A. T. Pannirselvam.
(13) Mr. P. V. Krishnayya Choudari.
(14) Mr. C. Basu Dev (*The mover*).

" With these few words I once more appeal to the House to accept my humble motion for reference to Select Committee."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" Mr. President, let me begin by offering my congratulations to the Hon. Mover of this Bill for the very eloquent and learned speech he made enunciating the duties and responsibilities of men and more particularly for his realization that he is also a human being. Let me also offer my congratulations to him on the very eloquent and appealing peroration with which he concluded his speech reminiscent more of other places than this Honourable House.

" Sir, I have been charged with speaking on this motion in two voices. I may perhaps say that there is more truth in that gibe than in the giber's other remarks. Sir, I consider myself to be as much in sympathy with the poor condition of labourers and the necessity for ameliorating the same; but at the same time, while I should be only too glad to lend my support to any measure which would really ameliorate and alleviate the condition of the people, I cannot but oppose a half-hearted measure like this which wants to make into law a certain principle without having regard to the realities of the situation. I certainly

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cannot be a party to a half-baked measure which aims at trying to satisfy people, without, as a matter of fact, being really able to do so. If the hon. Member wants to have the satisfaction of having moved in this Council a measure which is supposed to ameliorate the condition of labour, knowing fully well that he has no opportunity of putting it on the Statute, well, I am not able to share in that satisfaction. I am able to see no object in initiating a measure the end of which I know fully well we shall not be able to see during the lifetime of this Government. (Mr. V. P. Narayanan Nambiyar: 'Hear, hear.') I am afraid my conception of the necessity of ameliorating the conditions of labour involves a problem which cannot brook tinkering of this sort. It is an enormous problem which has to be tackled. (Mr. C. Basu Dev: What has the Government done so long?) The Government have done a great deal and people who know things know what the Government have done. The hon. Member knows that for the last 15 years the Labour Department has been in existence, that for the last 15 years the problem of depressed classes has been the special concern of the Government, that for the last 15 years houseless people have been provided with houses, that for the last 15 years the Government have been taking measure after measure for opening educational institutions, for supplying drinking-water to the poor depressed class with whom some of the members of this House would even now think it beneath their dignity to associate. (Mr. C. Basu Dev: The depressed classes are not working classes. They are different interests and should not be confused.) Now, Sir, if I am opposed to this Bill, it is only because, as I said to begin with, I know definitely that it would be impossible to put this Act on the Statute. Sir, if you put it on the Statute, it will be not even a case of touching the fringe of the problem, as Mr. Ramalinga Reddi put in. It will be a case of merely tinkering with the problem. I would rather not do that in the case of a problem like this.

"Now, Sir, let us look into the provisions of this so-called Bill and find out where it will land us. Who are the persons who are to be compelled to constitute this protection fund? 'Permanent employer means an employer who has been carrying on business for at least one year and shall include corporations, companies and institutions.' Therefore 'Permanent employer' shall include any petty man who sets up a shop and runs it for a few months before becoming an insolvent. It does not matter what his capital is. It does not matter what profit he makes and for how short a period he keeps his shop open, during the first year. Sir, it is all well and good for the large well-established companies to be forced to contribute a little more than they themselves are contributing. In many cases the state of affairs of the petty shopkeepers who may not have anything more than Rs. 100 as capital would be no better than the state of affairs of the men whom they employ and for whom you want to show your sympathy. These persons doing petty business may not be getting more than Rs. 15 a month. Even then, if they continue to do business for at least 12 months, immediately they become permanent employers within the meaning of the word as defined by my hon. Friend, Mr. Basu Dev.

Then it is said that any person employed in whatever capacity, or by whatever name called and whether paid salary or wage under a permanent employee either for a continuous period of not less than three months or for a total period of not less than four months within a continuous period of six months, means a permanent employee. If a petty shopkeeper is able to employ a young fellow for three months, he has to contribute one-twelfth of his wages to the provident fund. And then by whom it is to be done? By the 'permanent employer' in every office, factory or place of business. My Friend Mr. Basu Dev was trying in the first part of his speech to confine the meaning of the 'place of business' to a commercial house. But he got inspiration from his neighbour Mr. Devadasan and in concluding his speech he widened its scope so as to include also tea plantations and coffee plantations."

Mr. C. Basu Dev:—"The Hon. Member is mistaken. I wanted 'commercial houses' to be substituted for the word 'office'."

* The Hon. Rao Bahadur A. T. Pannirselvam:—"I stand corrected. What I was saying was that he got the inspiration from Mr. Devadasan and, in order to enlist his sympathy, included plantations as well. If plantations are to be brought within the significance of this term, I can only say that I am unable to understand it. I do not see how they can be brought in at all either as factories or as places of business. If you are going to bring in plantations, how do you exclude agricultural labour? I think plantation labour and agricultural labour are very much alike. They do one kind of agriculture in one place and another kind of agriculture in another place. If you are going to include plantation labour and agricultural labour within this small Bill of nine clauses, where will we land ourselves in? Every man owning six or seven acres of land carries on the business of agriculture. He need not have a place for office or factory. Therefore every mirasidar will be liable to contribute to the protection fund. Therefore we will have the satisfaction of immediately establishing a protection fund or as many protection funds as there are mirasidars."

Mr. M. Devadasan:—"I stated in my speech that this Bill might be extended to companies and corporations. I said that clause 4 (a) may be made applicable to companies and corporations as companies might mean companies where there are plantations owned by companies. I did not want that agricultural labour should be brought within the scope of this Bill."

* The Hon. Rao Bahadur A. T. Pannirselvam:—"I believe it comes to this: that under the scope of this Bill plantation labour and agricultural labour will come. The reason which he gives for that is this: a permanent employer means a corporation, company or an institution. Agricultural labour comes not under the corporation or institution, but under individual and therefore it would not apply. I should have thought that lawyer as he is . . . ."

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Mr. V. M. RAMASWAMI MUDALIYAR :—" May I ask, Sir, whether we are discussing the provisions of the Bill or what Mr. Devadasan said? I think we are concerned with the interpretation of the provisions of this Bill."

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" My hon. Friend Mr. Basu Dev is a lawyer."

* The Hon. the PRESIDENT :—" I see no reason for the interruption by Mr. V. M. Ramaswami Mudaliyar at this stage. The point was raised by both Messrs. Devadasan and Basu Dev and they have given their explanations. I therefore see no reason why this interruption should have been made at this stage."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" My Friend Mr. Devadasan is also a lawyer. (Mr. K. Koti Reddi : ' Most of us are lawyers.') Therefore we are accustomed to read a Statute or Act carefully and understand and interpret each word in it. I will only invite the attention of Mr. Devadasan to the fact that clause 4 (*a*) does not say ' mean '. It only says ' include.' Therefore ' a permanent employer ' need not necessarily be a corporation, but it may include ' corporations ' or ' institutions.' Ordinarily the words ' permanent employer ' are intended to apply to an individual.

" Therefore if you want to include plantation labourers, you will 3-15
have perforce to include agricultural labourers as well. All that I p.m.
want the House to realize is the implication of this measure. Within 15 minutes you want to make a law for the protection of employees and hand it over to the coming provincial autonomous Government; you want to introduce provident fund system for every place or every person who may be employed under somebody else in whatever capacity, either in companies, factories, or plantations or as agricultural labourers. (A voice ' That is why I say it may be referred to a select committee '.) To refer it to a select committee, as you all know, you will have to put the things within certain limitations, which have been prescribed. Now are we to brush aside those limitations and say that an ' employee ' means and includes all persons owning plantations, factories, coffee hotels, beedi factories and so on and we must ask all of them to contribute one-twelfth of the salaries of their employees to a permanent fund known as provident fund to be handed over to their employees when they are discharged, no matter for what period they were employed, whether it is two months or six months, provided they were able to mark six months' attendance in the places in which they were working. Therefore it is that I oppose this measure. I do not lag behind my hon. Friend Mr. Basu Dev in my sympathies for labour and I may be permitted to say that I do not feel inclined to demonstrate my sympathies for the labour or the poorer classes obviously just because I have got two months ahead before me before the election is to take place."

* The Hon. the PRESIDENT:—" The question is that the Madras Employees Protection Bill (Bill No. 6 of 1936) be referred to a select committee consisting of the following Members:—

(1) Mr. F. Birley.

(2) ,, M. Devadasan.

(3) Diwan Bahadur C. Natesa Mudaliyar.

(4) Mr. C. Ramalinga Reddi.

(5) Rao Sahib V. I. Muniswami Pillai.

(6) Mr. Abdul Hameed Khan.

(7) ,, K. A. Nachiyappa Gounder.

(8) ,, V. M. Ramaswami Mudaliyar.

(9) ,, K. P. Raman Menon.

(10) Rajkumar M. A. Muthiah Chettiyar of Chettinad.

(11) The Kumararaja of Venkatagiri.

(12) Mr. P. V. Krishnayya Choudari.

(13) The Hon. Rao Bahadur A. T. Pannirselvam.

(14) Mr. C. Basu Dev (Mover)."

The motion was put and declared lost. A poll was demanded which was taken and the House divided as follows:—

Ayes.

1 Diwan Bahadur C. Natesa Mudaliyar.
2 Mr. M. Devadasan.
3 Khan Bahadur Mahmud Schamnad Sahib Bahadur.
4 Mr. Mahboob Ali Baig.
5 Rao Bahadur P. C. Muthu Chettiyar.
6 Mr. M. A. Manikkavelu Nayakar.
7 ,, A. M. Ahmed Meeran.
8 ,, A. Pl. N. V. Nadimuthu Pillai.
9 ,, K. A. Nachiyappa Gounder.
10 The Pattagar of Palayakottai.
11 Mr. K. S. Sivasubrahmanya Ayyar.
12 Mr. K. P. Raman Menon.
13 ,, C. R. Parthasarathi Ayyangar
14 Rai Sahib C. Kolanda Reddi.
15 Mr. K. Koti Reddi.
16 ,, P. M. Thangal.
17 ,, V. M. Ramaswami Mudaliyar.
18 ,, C. Ramalinga Reddi.
19 Mrs. A. Rukmani Lakshmipathi
20 Mr. C. Obi Reddi.
21 ,, M. S. Sreshta.
22 Rao Sahib V. I. Muniswami Pillai.
23 S. M. K. Beyabani Sahib Bahadur.
24 Swami A. S. Sahajanandam.
25 Mr. C. Basu Dev.

Noes.

1 The Hon. Rao Bahadur A. T. Pannirselvam.
2 ,, Sir Charles Souter.
3 ,, Sir Geoffrey Bracken.
4 ,, Mr. C. F. Brackenbury.
5 ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6 ,, Mr. P. T. Rajan.
7 ,, the Raja of Bobbili.
8 Mrs. K. Alamelumangathayaramma.
9 Mr. W. Scott Brown.
10 ,, H. R. Uzielli.
11 ,, C. E. Jones.
12 ,, H. M. Hood.
13 ,, R. Madanagopal Nayudu.
14 Mr. T. B. Russell.
15 ,, T. Sundara Rao Nayudu.
16 Khan Sahib Syed Tajuddin Sahi Bahadur.
17 Mr. C. D. Nayagam.
18 Diwan Bahadur A. Appadurai Pilla
19 Mr. G. Ranganatha Mudaliyar.
20 Diwan Bahadur R. Srinivasan.
21 Mr. P. C. Moses.
22 Rao Bahadur B. P. Sesha Redd
23 Mr. S. M. Laljan.
24 ,, G. H. Hodgson.
25 ,, F. Birley.
26 Rao Bahadur D. Krishnamurti.
27 Mr. G. Simhachalam.

Noes—cont.

28 Mr. J. M. Smith.
29 Kumararaja of Venkatagiri.
30 Zamindar of Mirzapuram.
31 Zamindar of Bodinayakkanur.
32 The Senior Zamindar of Tekkali.
33 Mr. J. Kuppuswami Choudari.
34 ,, Daniel Thomas.
35 Rao Sahib D. V. Narasimhaswami.
36 Mr. S. A. A. Annamalai Chettiyar.
37 ,, K. Kesava Ramamurti Nayudu.
38 Rao Sahib Pandit Ganala Ramamurti.
39 Mr. A. Ramakrishna Reddi.
40 ,, T. Narasa Reddi.
41 ,, K. M. Doraiswami Reddiyar.
42 Rao Bahadur Subadar-Major S. A. Nanjappa Bahadur.
43 Diwan Bahadur S. Ellappa Chettiyar.
44 Mr. Y. Mahabaliswarappa.

Ayes 25. *Noes* 44.

The motion was lost.

IV.—A BILL FOR THE PROTECTION OF VILLAGE OFFICERS IN THE MADRAS PRESIDENCY (BILL No. 5 OF 1936).

Mr. A. RAMAKRISHNA REDDI:—" I beg to move that the [a] Bill for the Protection of Village Officers in the Madras Presidency (Bill No. 5 of 1936) be taken into consideration."

Mr. K. KOTI REDDI:—" I beg to second it."

* Mr. F. BIRLEY:—" Mr. President, Sir, the fact that the Members of my Group have tabled amendments to this Bill should not be taken as indicating that my Group supports this Bill, either in principle or in detail. I thought it was advisable for me to explain this, because if we gave a silent vote after tabling these amendments we might conceivably be misunderstood. When the amendments were actually put in, we were not aware what the attitude of the House would be to the Bill and we did not wish to lose the opportunity of indicating a possible improvement if the Bill were to be considered clause by clause. In the opinion of the members of my Group and in the opinion of my constituency, the Bill is unnecessary and its principles are unsound. It is contrary to the principle of English Jurisprudence to grant immunity in the fashion suggested in the Bill to any executive officer of the Government from the ordinary legal consequences of his official acts. It is contrary to the principles of English Jurisprudence that an officer should be protected from any of the acts that he does in his executive official capacity. On that ground alone I should oppose the Bill and on the merits of the Bill themselves no attempt has been made to make out a case for a departure from the general principle of making executive officers responsible for their own acts."

* The Hon. Sir CHARLES SOUTER:—" Sir, I must oppose this measure. Mr. Birley has to some extent anticipated what I was going to say, but I think there are more grounds than even those which he has advanced for thinking that this measure is unnecessary. First of all, let us consider the case of village munsifs—the village magistrates—;

[a] Published in the *Fort St. George Gazette*, dated 11th February 1936.

when they are acting in a magisterial capacity, they are protected under section 197 of the Criminal Procedure Code. I think that section must be clear to all of you who know something of the Criminal Procedure Code. Perhaps for the sake of those who are not so familiar with that section I may go into some detail with regard to this. Now section 19 of the Indian Penal Code says:—

> 'The word "Judge" denotes not only every person who is officially designated as a Judge, but also every person
>
> "who is empowered by law to give, in any legal proceedings, civil or criminal, a definitive judgment or a judgment which if not appealed against would be definitive or a judgment which if confirmed by some other authority, would be definitive, or
>
> "who is one of a body of persons, which body of persons is empowered by law to give such a judgment".'

Now under section 197 (1) of the Criminal Procedure Code, a village officer comes within the meaning of a Judge and under that section he cannot be prosecuted except with the sanction of the Local Government. So, so far as the village officers are concerned, when they are acting in the capacity of a judge or a magistrate when they are empowered to try such cases or as Chairmen of Panchayat Courts, they would be protected without this measure at all. I hope, Sir, I have made myself clear, that as far as village munsifs are concerned, in their exercise of functions as judge either civil or criminal they are already protected.

30 a. "Then, Sir, we had enquiries made since this Bill was introduced as to what the actual facts have been. We have found out that so far there have only been 12 cases in which village officers have been prosecuted and in most of these cases the magistrates have thrown them out under section 203 of the Criminal Procedure Code. In other words these facts go to show that no necessity has arisen in practice for any such measure as this. Take the case of the village officer himself. This Bill affects to save him from unnecessary harassment. Remember this, that if it is necessary to approach the Revenue Divisional Officer or the District Magistrate for sanction to prosecute the village officer, an enquiry has to be made first on the facts of the case. I must say, Sir, that so far as the village officer is concerned, his expenses during that enquiry will be as heavy as or heavier than the expenses he would have to incur if the prosecution had not to receive the sanction of the District Collector. The Board of Revenue and all the Collectors whom we consulted in this matter are very strongly of opinion that no necessity has arisen for giving this so-called protection to village officers. Apart from this, as we know, village officers have been prohibited by executive orders from taking part in politics. Now, Sir, if they are asked to take part in village politics, party politics, they can always quote this Government Order as protection and refuse to take part in it. If they do not take advantage of this Government Order and in spite of it take part in party politics, well, they will ask for and get what they deserve. They do not deserve any protection. On these grounds, Sir, I think this measure is entirely unnecessary.

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"To recapitulate, first of all in regard to part of their duties the village officers are already protected and in regard to others they require no protection. On these grounds, Sir, I must oppose this motion."

* Rao Bahadur P. C. MUTHU CHETTIYAR spoke in Tamil and the following is an English summary of the speech:—"Sir, I beg to state that these village officers wield a lot of influence in the locality to which they are attached. They are already creating very many difficulties in our way. The passing of this Bill will only give a strong handle to those to ride rough shod over the people for a prosecution cannot be launched against them without great difficulty. The present provisions of the Criminal Procedure Code are ample for meeting the contingency envisaged in the Bill. As at present the village officers do their duty with a vague fear lurking in them that if they do otherwise they would incur the displeasure of their superior officers. If previous sanction of the Revenue Divisional Officer is insisted upon then until such sanction is obtained the village officer will be free to add to the difficulties already created by him. Sir, in my opinion there is no warrant for a specific provision as it is sought to be made in the Bill. Moreover, if the Bill is passed into law, it will add to the enormous work which the Revenue Divisional Officer is already discharging. So I venture to characterise this Bill as an instance of one more Bill which is sought to be placed on the Statute Book and which will not serve any useful purpose now or ever."

Mr. A. RAMAKRISHNA REDDI:—"Sir, I had expected that a simple Bill of this kind would not have met with any opposition, but unfortunately it has been the fate of two non-official Bills to-day and Government seems to be determined to oppose all non-official Bills whether their provisions are good, bad or indifferent. It surprises me that the provisions of a simple Bill like this should not be properly understood by the Government. What does this Bill seek to effect? Of course there is section 197 of the Criminal Procedure Code under which a village officer acting in his capacity as a magistrate or a judge is protected from prosecution without the sanction of the Local Government. But people who have been following judicial decisions with regard to prosecutions against village officers know how this section 197 has been applied in practice. This section is a nullity to-day on account of the fact that it has been held in a number of decisions that the village officer cannot be supposed to commit a crime in the discharge of his duties as a judge, and that section 197 is not applicable to him. That is the latest decision. The village officer is a revenue subordinate and a police subordinate under the old Police Regulations which are still in existence. The majority of complaints against village officers is not at all in connexion with what they are supposed to have done as village magistrates or village munsifs. Ninety-nine per cent of the cases are

in regard to offences which are supposed to have been committed by them in their capacity as revenue subordinates, more especially, during the collection of kist. I know that at least in my district it is a very common feature during the kist collection season for the village officer to be visited with at least a couple of prosecutions. Only very few people escape this sort of criminal complaints. The Hon. the Revenue Member said that many of these complaints had been thrown out. No doubt, it is just the reason why I say that a large number of complaints are groundless and absolutely vexatious and that it proves my case that there should be some kind of protection afforded to these officers, so that they may not be dragged before the courts for nothing and forced to spend a lot of money in engaging counsel for defence and so on. I do not know why the Hon. the Revenue Member should have thought it as an argument in his favour. I think it is rather an argument against him rather than in his favour. He says that there have been only twelve cases where the sanction of the Government had been obtained and that all those cases had been thrown out. But has he any idea of the number of cases filed against village officers in their capacity as revenue subordinates, and in their capacity as police subordinates? If so, he would not have counted them in tens but in tens of thousands. If he still says he is not convinced of the necessity for a Bill of this kind, I am sorry to say that he is absolutely ignorant of things in the villages. Hon. Members of this House who know the conditions in the villages know very well that village officers are troubled with a lot of criminal complaints. If there is an hon. Member in this House who like the Hon. the Revenue Member thinks that that is not the case, I must characterize him as absolutely out of touch with the conditions in the villages. It is a matter of common knowledge, especially in the Ceded districts, that on account of village factions the village officers are put to a lot of trouble especially after the elections. If there is a majority party in the village and if the village officer does not obey the dictates of that party it is made absolutely impossible for him to discharge his duties without fear or favour and there are always any number of ready-made witnesses to give evidence against him. It is very necessary that he should be protected by the Government. I am sorry to note that a measure for this purpose coming from a non-official Member should have been opposed by the Government whose duty it is to protect these officers and who could do it much better than non-officials can. It astounds one to hear the Hon. the Revenue Member say that there have been only twelve cases and that the majority of them has been dismissed under section 203 of the Criminal Procedure Code. The Government are absolutely ignorant of the things going on in the mufassal. As I have already stated these cases are filed against village officers in their capacity as police subordinates and revenue subordinates; they form 99 per cent of the cases. I have not mentioned anything with regard to panchayat elections at all, because it is on account of these elections to panchayat boards and district boards that

29th August 1936] [Mr. A. Ramakrishna Reddi]

there are factions and ready-made witnesses. If there is a majority party and if they want to have their own way they naturally try to bring the village officer round to their own way and if he refuses to do that, he is harassed with a number of prosecutions. The very fact that most of these cases are thrown out shows that there is no foundation or truth in them and that some protection is absolutely necessary for these village officers so that they may not be dragged to court unnecessarily any number of times for small trifles. Otherwise for the pittance of the salary that they get they would have to spend large sums of money in engaging defence counsel and the Government would he indirectly encouraging them to take bribes to recoup the sums spent on defence counsel. I therefore thought, Sir, that the provisions of this Bill are absolutely necessary. The Hon. the Revenue Member has explained to us that it would cost the village officers more if there should be a sanction for the prosecution. The Hon. the Revenue Member should know that there will he a revenue enquiry if a petition is presented to the authorities concerned against a village officer acting in the capacity of a revenue subordinate. In addition to that there will be proceedings in the criminal court also, so that there will be a duplication of work. It may happen that in a particular case the Revenue Divisional Officer found that there was no case against the village officer. He might as well say that no prosecution is necessary.

" I do not know why the village officers should be driven to the necessity of spending time and money. Mostly lawyers do not appear when enquiries are made by revenue officers. When enquiry is made by the revenue officers, there will absolutely no case against the village officer. I do not see any reason why the village officer should still be open to methods of private vengeance, to criminal complaints being filed against him. I do not know why the Hon. the Revenue Member should take a very unreasonable attitude in this matter. I am sure hon. Members of this House who know conditions in the districts much better than the Hon. the Revenue Member would see that justice is done in this case. This is an absolutely harmless measure, a measure which is opposed by the Government. I am sure that hon. Members who know facts better and more sufficiently will support the Bill." 3-4 P

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" Mr. President, Sir, I am certainly for this Bill. I believe from what the Hon. the Revenue Member said, he feels that this Bill is unnecessary. That is the whole substance of his argument. I do not think that criminal prosecutions are put in before the courts when the village officers are acting as judges. As has been pointed out by the hon. Mover of the Bill, it is only when they are acting in the capacity of revenue officers, they are harassed. It is only then that protection is sought. It is for that reason that this Bill is brought forward. In the interest of these subordinates, in the interest of these servants, I think, the Hon. the Revenue Member will see that the village officers are protected and not

subjected to frequent harassment. I think the Bill was approved of generally by the House. I do not think anybody took objection to it. I do not know why the Government is taking this objection.

" There is another aspect of the matter which I would like to bring to the notice of the Hon. the Revenue Member and it is this. On account of the fact that democracy is being introduced even in the villages, there is bound to be any number of factions. Human nature being what it is, it is impossible for the village officials not to take sides. They may take the right side; or they may take the wrong side. When the British system of administration is giving us much democracy in these ways, of having panchayat boards, taluk boards, district boards, etc., taking human nature as it is, village officials are bound to take side with one party or other; they are at present subject to some sort of harassment. I hope the Hon. the Member will consider that this Bill is necessary in the interest of the subordinates themselves, so that there may be contentment in the service."

* The Hon. Sir CHARLES SOUTER :—" Mr. President, Sir, I had not intended to speak again. I think however now that the observations of Mr. Gopalaswami Mudaliyar and the hon. Mover of the Bill ought to be met. I am sorry that Mr. Ramakrishna Reddi thinks I know nothing about the mufassal; I cannot accept his view of my capacity. I can tell him that there have been only twelve cases up till now. Mr. Gopalaswami Mudaliyar says that the impression he gained was that I remarked that this Bill was unnecessary. My point is that this is an unnecessary legislation to be put on the statute book. Why cumber the statute book with legislation which is unnecessary?

" May I point out one more thing, which may be pertinent. We have received numerous representations from Village Officers' Associations and recently a request has been made for deputation to come to Madras and lay before the Government their grievances. There is a long list of grievances; but there is no mention made of any protection of this kind. I can only infer from that naturally that the village officers themselves do not consider that they need this protection. Village officers have been asked to keep out of parties in the villages; all I can say is if they have not kept themselves out of them, it is their own fault and if they get into trouble. they do not deserve protection. On these grounds and on what I said before, I say that this motion must be opposed."

* The Hon. the PRESIDENT :—" The question is that ' the Bill for the protection of village officers in the Madras Presidency (Bill No. 5 of 1936) ' be taken into consideration."

The motion was put and declared lost.

29th August 1936]

Mr. A. Ramakrishna Reddi demanded a poll and the House divided thus:—

Ayes.

1 Mr. G. Simhachalam.
2 Rao Sahib D. V. Narasimhaswami.
3 Mr. K. Kesavaramamurti Nayudu.
4 ,, M. B. Rangaswami Reddi.
5 ,, Ahmed Meeran.
6 ,, K. Koti Reddi.
7 ,, P. M. Thangal.
8 ,, V. M. Ramaswami Mudaliyar.
9 Rao Bahadur R. K. Venugopal Nayudu.
10 Mrs. A. Rukmani Lakshmipathi.
11 Mr. C. Obi Reddi.
12 ,, A. Ramakrishna Reddi.
13 ,, T. Narasa Reddi.
14 ,, S. M. K. Beyabani Sahib.
15 ,, K. M. Doraiswami Reddiyar.
16 Diwan Bahadur M. Gopalaswami Mudaliyar.

Noes.

1 The Hon. Rao Bahadur A. T. Pannirselvam.
2 ,, Sir Charles Souter.
3 ,, Sir Geoffrey Bracken.
4 ,, C. F. Brackenbury.
5 ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6 ,, Mr. P. T. Rajan.
7 ,, the Raja of Bobbili.
8 Diwan Bahadur C. Natesa Mudaliyar.
9 Mr. W. Scott Brown.
10 ,, H. R. Uzielli.
11 ,, C. E. Jones.
12 ,, H. M. Hood.
13 ,, R. Madanagopal Nayudu.
14 ,, T. B. Russell.
15 ,, T. Sundara Rao Nayudu.
16 Khan Sahib Syed Tajuddin Sahib Bahadur.
17 Mr. I. C. Iswaran Pillai.
18 Diwan Bahadur R. Srinivasan.
19 Mr. C. D. Nayagam.
20 ,, F. Birley.
21 Mr. S. M. Laljan Sahib.
22 ,, P. C. Moses.
23 ,, J. M. Smith.
24 Rao Sahib V. Dharmalingam Pillai.
25 Rao Bahadur D. Krishnamurti.
26 ,, Sir A. P. Patro.
27 Zamindar of Mirzapuram.
28 Kumararaja of Venkatagiri.
29 Khan Bahadur Mahmud Schamnad Sahib Bahadur.
30 Mr. Mahboob Ali Baig.
31 Senior Zamindar of Tekkali.
32 Zamindar of Bodinayakkanur.
33 Mr. S. A. A. Annamalai Chettiyar.
34 Rao Sahib Pandit Ganala Ramamurti.
35 Mr. T. S. Ramaswami Ayyar.
36 Rao Bahadur P. C. Muthu Chettiyar.
37 Mr. C. R. Parthasarathi Ayyangar.
38 ,, M. S. Sreshta.
39 ,, C. Basu Dev.
40 ,, Y. Mahabaliswarappa.

Ayes. 16. *Noes*. 40.

The motion was lost.

V.—A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL BOARDS ACT, 1920, FOR CERTAIN PURPOSES.

Mrs. A. Rukmani Lakshmipati:—"I beg to move, Sir, for leave to introduce a Bill to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes."

Mr. V. M. Ramaswami Mudaliyar:—"I second the motion."

The motion was put and carried.

Mrs. A. Rukmani Lakshmipati:—"I introduce the Bill."

VI.—THE MAPPILLA MARUMAKKATTAYAM BILL.

Khan Bahadur Mahmud Schamnad Sahib Bahadur:—"Sir, I beg to move for leave to introduce the Mappilla Marumakkattayam Bill. I do not think any explanation is necessary to prove the necessity for this measure. In the Statement of Objects and Reasons it is stated . . ."

* The Hon. the PRESIDENT:—" At this stage no explanation is necessary at all."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" I move, Sir, that leave be granted to introduce the Bill."

B. POCKER SAHIB Bahadur:—" I second it."

The motion was put and carried.

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" I introduce the Bill."

VII.—A BILL FURTHER TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

Mr. P. C. MOSES:—" Mr. President, Sir, I beg to move for leave to introduce a Bill further to amend the Madras Local Boards Act, 1920."

Rao Sahib Pandit GANALA RAMAMURTI:—" I second it."

The motion was put and carried.

Mr. P. C. MOSES:—" I introduce the Bill."

VIII.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

Mr. G. SIMHACHALAM:—" Sir, I beg to move for leave to introduce a Bill to amend the Madras Local Boards Act, 1920."

Mr. S. M. LALJAN SAHIB:—" I second it."

The motion was put and carried.

Mr. G. SIMHACHALAM:—" I introduce the Bill."

IX.—THE ARTISANS' PROTECTION BILL.

Rao Sahib Pandit GANALA RAMAMURTI:—" Sir, I beg to move for leave to introduce the Artisans' Protection Bill."

Mr. P. C. MOSES:—" I second it."

The motion was put and carried.

Rao Sahib Pandit GANALA RAMAMURTI:—" I introduce the Bill."

X.—A BILL FURTHER TO AMEND THE MADRAS DEBTORS' PROTECTION ACT, 1935, FOR A CERTAIN PURPOSE.

Mr. C. BASU DEV:—" Sir, I beg to move for leave to introduce a Bill further to amend the Madras Debtors' Protection Act, 1935, for a certain purpose."

Rao Sahib V. DHARMALINGAM PILLAI:—" I second it."

The motion was put and carried.

Mr. C. BASU DEV:—" I introduce the Bill."

XI.—THE MADRAS HINDU RELIGIOUS ENDOWMENTS (AMENDMENT) BILL.

Mr. P. V. KRISHNAYYA CHOUDARI :—" Sir, I beg to move for leave to introduce the Madras Hindu Religious Endowments (Amendment) Bill."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—" I second it."

Mr. C. RAMALINGA REDDI :—" Sir, I oppose its introduction."

The Hon. the PRESIDENT :—" Then I will put the question to the vote of the House."

The motion was put and declared lost.

Mr. P. V. Krishnayya Choudari demanded a poll, and it was taken with the following result:—

Ayes.

1 The Hon. Rao Bahadur A. T. Pannirselvam.
2 ,, Sir Charles Souter.
3 ,, Sir Geoffrey Bracken.
4 ,, Mr. C. F. Brackenbury.
5 ,, Mr. P. T. Rajan.
6 ,, the Raja of Bobbili.
7 Diwan Bahadur C. Natesa Mudaliyar.
8 Mrs. K. Alamelumangathayaramma.
9 Mr. W. Scott Brown.
10 ,, H. R. Uzielli.
11 ,, C. E. Jones.
12 ,, H. M. Hood.
13 ,, R. Madanagopal Nayudu.
14 ,, T. B. Russell.
15 ,, T. Sundara Rao Nayudu.
16 Khan Sahib Syed Tajuddin Sahib Bahadur.
17 Diwan Bahadur R. Srinivasan.
18 Mr. C. D. Nayagam.
19 ,, M. Devadasan.
20 Mr. P. C. Moses.
21 Mr. G. Simhachalam.
22 Rao Sahib V. Dharmalingam Pillai.
23 Rao Bahadur D. Krishnamurti.
24 Zamindar of Mirzapuram.
25 Kumararaja of Venkatagiri.
26 Khan Bahadur Mahmud Schamnad Sahib Bahadur.
27 Senior Zamindar of Tekkali.
28 Zamindar of Bodinayakkanur.
29 Rao Sahib Pandit Ganala Ramamurti.
30 Mr. K. Kesavaramamurti Nayudu.
31 ,, M. S. Sreshta.
32 Rao Sahib V. I. Muniswami Pillai.
33 Mr. S. M. K. Beyabani Sahib.
34 Diwan Bahadur M. Gopalaswami Mudaliyar.
35 Mr. P. V. Krishnayya Choudari.
36 ,, C. Basu Dev.
37 Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.
38 Mr. Y. Mahabaliswarappa.
39 Rao Sahib D. V. Narasimhaswami.

Noes.

1 Dr. P. Subbarayan.
2 Mr. Abdul Hameed Khan.
3 ,, T. S. Ramaswami Ayyar.
4 ,, M. A. Manikkavelu Nayakar.
5 Pattagar of Palayakottai.
6 Mr. K. S. Sivasubrahmanya Ayyar.
7 ,, C. R. Parthasarathi Ayyangar.
8 Mr. K. A. Nachiyappa Gounder.
9 ,, K. Koti Reddi.
10 ,, P. M. Thangal.
11 ,, V. M. Ramaswami Mudaliyar.
12 ,, C. Ramalinga Reddi.
13 Mrs. A. Rukmani Lakshmipathi.
14 Mr. C. Obi Reddi.

Ayes. 39. *Noes.* 14.

The motion was carried.

Mr. P. V. KRISHNAYYA CHOUDARI :—" I introduce the Bill."

XII.—RESOLUTIONS.

Mr. C. RAMALINGA REDDI :—" Sir, may I move for a change in the order of business, with your permission, that the consideration of Resolutions Nos. 1 to 5 be adjourned till Resolution No. 6 is disposed of."

Dr. P. SUBBARAYAN :—" I second the motion."

The motion was put and carried.

(1) POLLING STATIONS FOR THE ENSUING ELECTIONS TO THE PROVINCIAL LEGISLATURES.

* Mr. K. Koti Reddi:—" Mr. President, Sir, I move—

'*This Council recommends to the Government that instructions be issued to the Registration Officers or other concerned authorities to so increase the number of polling stations that ordinarily no voter need travel more than two miles to record his vote during the ensuing elections to the Provincial Legislatures.*'

" Mr. President, we are all aware that very soon we are going to have elections to the Provincial Legislatures. The one important matter in which every one of the Members is interested is to see that there is no corruption in these elections. The one factor that has been hitherto contributing to corruption in these elections is the long distances which the voters are made to travel for recording their votes. If a voter is to be made to walk a distance of five to ten miles for recording his vote, the result will be that he has to be paid the conveyance charges, charges for feeding at the place of the polling station, etc., which will naturally lead on to corruption. Previously there was a law that no candidate should pay for the meals, etc., of the voters; even that law has now been abrogated, and therefore, the result will be, as I said, that only such people can get into the Legislatures as are prepared to pay for the conveyance of the voter, for his feeding at the place of the polling station, etc. Naturally, the rich candidate will make elaborate arrangements for feeding the voters who are likely to vote for him. The one way of avoiding it is to see that every big village has a polling station, so that a voter can take his meals in his own house, walk to the polling station and record his vote. The instructions given to the Collectors and registration officers are that ordinarily a five-mile radius can be fixed for polling stations. Even during the local board elections and elections to the previous Councils, the number of polling stations have been more than the number now fixed tentatively by these registration officers. No doubt the Government may say that this is a matter purely for the registration officers. In fact, in reply to one of my questions, they actually said so. It may also be said that the registration officers will not refuse to give facilities to the voters if they are approached; but what I say is: so long as the general instructions are there, that the Collectors need not make a better provision for giving facilities, ordinarily these polling stations would not be nearer than five miles, which distance the voter will have surely to walk if he wants to record his vote. It is quite likely that a Collector may change a polling station from one place to another or may fix another in some new place; but that is not enough. We, coming from the mufassal, know the difficulties of inducing voters to walk long distances for recording their votes. No doubt the Finance Member or any other Hon. Member in charge may say: if the voter cannot take pains to walk even five miles for recording his vote, then he does not deserve to be a voter. But I am unable to find in the whole of the civilized world any

place where the voters are being put to this difficulty of walking at least five miles or six miles to the polling station. If really the Government are serious and want to see that every voter exercises his vote, they must give ample facilities to the voters, and the one direction in which such facilities can be given is to reduce the distance which a voter has ordinarily got to travel to the polling station. When the number of electors was increased, I was hoping that every village might be having a polling station; all such hopes have been shattered now by these instructions which the Government have issued to the registration officers, that they can fix polling stations ordinarily at a five-mile radius. I was told that the difficulty in increasing the number of polling stations is to get proper and good officers for manning these polling stations. I do not think, however, that if the Government are serious in this matter, there will be any difficulty felt. Not only the Government officers, but even respectable non-officials can be made to take part in these elections. In view of the fact that the Government have practically decided to introduce the coloured box system, the difficulty with regard to polling officers will cease. Formerly, on account of the open polling system, unless you had a proper officer, there was always the possibility of misrecording of votes and riots and disturbances; for, if there were two candidates and one candidate knew who all would vote for him, his agents would naturally try to see that those people who had promised to vote for their candidate were given the first chance. This would result in riots and disturbances.

" Sir, one other difficulty that was pointed out by the Government is their want of sufficient police bandobust. For this I do not think you really require more police people under the coloured box system. In the usual course of things even if there is a disturbance, Government, with all the police help, is not going to prevent it. They have not prevented it in Cuddapah; they have not prevented it in the famous Kallar ballot box case where even though there were a number of police constables, in a moment there was a disturbance, the boxes were taken away and burnt and they have not been able to prevent it. Instead of trying to put difficulties in the way of millions of voters by making them walk long distances, and to the difficulty of the voters eating at the expense of the candidates which would lead to voting for those candidates who have given them food and conveyance, if the Government is really serious to prevent this sort of corruption and want to give facilities for the free exercise of voting, the one direction in which they ought to move is to see that the number of polling stations is increased. Ordinarily the distance ought not to be more than two miles, but if the Government is prepared to reduce the distance further in view of the difficulties expressed, I would welcome it. On these matters, Sir, as other Members would like to express their opinions, I resume my seat with these few words."

* S. M. K. Beyabani Sahib Bahadur:—" Mr. President, Sir, I heartily second the proposition so ably moved by my hon. Friend, Mr. Koti Reddi. I have also been feeling this difficulty in this matter

of distance and unless the Government come to our rescue and solve the difficulty, the candidates for the coming elections will be nowhere. Sir, in my district, several polling stations which have been there for a very long time have now been abolished, and voters will therefore be compelled to walk not a distance of five miles, but even ten or eleven miles. Myself and some other persons saw the District Collector and made representations to him about this, but the District Collector gave a silent reply that Government saw no reason to alter the arrangement. I do not know about the conditions in regard to the other districts. I think it is high time that Government take up this question and solve the difficulty of the voters having to go long distances in order to exercise their franchise."

* Mr. M. A. MANIKKAVELU NAYAKAR :—" Mr. President, Sir, I am also in full sympathy with the spirit of the resolution. My complaint is that the arrangement of polling stations in this country is not quite satisfactory. Under the present system, I think, roughly there are about ten polling stations in each taluk, but now that the franchise has been extended by about five times, the same number is kept up. I expected that with the increase in the number of voters the number of polling stations also would increase. But that has not taken place. Though the Government in their circular have stated that as far as possible the polling stations would be restricted to a radius of five miles, I believe there are many cases where even that radius has not been kept up. There are many instances where voters will have to walk more than five miles. The only advance that has been made in the matter of arrangement for exercising the vote is in regard to the secrecy of the ballot by the introduction of the coloured box system. I should really congratulate the Government on that step because that system protects the illiterate voter. I would also request the Government to find out some means of giving greater facilities for the voters to come and exercise their votes at these polling stations. Otherwise they would be giving a premium to the rich candidate, as a poor candidate cannot afford to pay for the conveyance charges, and though under the new system, incurring conveyance charges by the candidates is no offence and no objection could be taken to it, yet the poor candidates will find it difficult to defray those charges and election in their case will become a costly matter. Therefore, Sir, I would request the Government to give more facilities at least in suitable cases. I do not want to say that Government might adopt the resolution completely as it has been moved in the Council, but they can see that as far as possible greater facilities are given to the voters to exercise their franchise by making it possible for them to go only a short distance for the purpose. With these words I support the resolution."

Mr. T. S. RAMASWAMI AYYAR :—" Mr. President, Sir, I desire to support the resolution which has been moved by the hon. Member for Cuddapah. There is great need for increasing the number of polling stations. The difficulty in the case of the electorate is that they are

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somewhat lethargic and it is only the whipping on the part of the candidates that brings many voters to the polling stations. But if it happens that the polling station is far off from their place, the tendency to keep away from voting is greater. Again, Sir, Government has now to choose between two evils, if they think they are evils. One is having a few polling stations and controlling the number of voters that come to them and the other is having a large number of polling stations and making arrangements to run the elections. Government may feel that they may not have the necessary number of men to man the polling stations if there are to be more polling stations. Sir, there is this difficulty as I pointed out, namely, if they are not going to have more polling stations, they will be hard put to it to have a proper control over polling stations where they ask a number of voters to come in for the purpose of voting. Instances have been known in recent years where the polling officers have not been able to control the partisans who come and give trouble at the polling stations. If you are going to have a number of polling stations and the voters are few, the chances of there being any disturbance will be less. If more men are wanted, Government should indent upon the services of many of their officers and they can also indent upon the services of local board employees, for example, the services of teachers of the various schools in the service of the local boards may be requisitioned. Government can also requisition the services of officers of the Revenue and Registration departments and other departments under their control who, I think, will be able to conduct elections properly.

" Then, Sir, one great effect of the opening of a number of polling stations will be to make the elections cleaner and, from the public morality point of view, better even. As has been pointed out by previous speakers, the chances of corruption will also be less. The candidates will not have to engage conveyances, will not have to arrange for meals for voters at the time they come and vote and if there are a number of polling stations and the voter is not asked to go a long way, he will necessarily not indent upon the conveyance that either the candidate or the agent of the party that runs the candidate, will have to provide. The voters themselves will feel that they owe a responsibility as citizens and they will themselves go to the polling station and vote for the candidate of their choice. I therefore feel that if Government have to choose between two evils, they must certainly ask for more polling stations and get more men to run the polling stations. Even if more money is to be expended by the opening of more polling stations, I think it is worth while because I know Government is anxious that as many voters as possible should come and poll. If that is the idea of Government, the money spent on opening more polling stations will certainly be worth while. I therefore feel strongly that Government should give effect to the recommendations contained in this resolution."

Rao Sahib V. I. MUNISWAMI PILLAI :—" Mr. President, Sir, I rise to support the resolution that has been moved by my hon. Friend from Cuddapah. From the point of view of the scheduled classes it is essential that more facilities should be given in the matter of polling stations. Hitherto it has been the custom to nominate members of the scheduled classes to the legislatures, but under the new Act, they have to face not one election but two elections. There are many reasons why there should be smaller distances in the case of members belonging to the depressed classes. First of all, this is a new scheme put forward and most of the people belonging to our community are poor and will not be able to find easy conveyances for taking voters to the polling stations. Apart from that, I think, as it is, not even 10 per cent of the scheduled classes have understood what is meant by an election and what is polling and so forth. So, Sir, in the interests of the scheduled classes, some such facilities should be afforded so that they may return proper representatives to the legislatures. Ordinarily, as you know, Sir, members of the scheduled classes, in the case of elections to the municipal councils and district boards, generally do not desire to go and vote and if there is going to be this arrangement whereby people have to walk long distances, say, 4 or 5 miles, to record their votes, I fear, Sir, the required number of the scheduled classes will not take advantage of the opportunity of exercising their franchise. Besides, Sir, since this is only an experiment, I appeal to the Hon. the Finance Member who is in charge of this portfolio, to extend the privilege of shorter distances at least in the case of the scheduled castes. Of course, there may be some administrative difficulties in the way, but in the interests of a community which had not had the experience of elections for the past several decades, at least this privilege of shorter distance may be given so that they may be enabled to exercise their votes in a proper manner."

Mr. M. S. SREESHTA :—" Mr. President, Sir, I wish to say just a few words in regard to this matter. I think the radius of five miles now fixed will not be a correct standard in the case of certain districts like South Kanara. There, the difficulties are very great in the matter of transport, because hills and dales have to be crossed, so that the distance of five-mile radius will in fact become greater and the result will be a very large number of voters will not be able to go to the polling stations. I request that this matter may be borne in mind by the Government and, in fixing the distance, it would be convenient to the people of South Kanara if as short a distance as possible is fixed."

* Mr. K. A. NACHIYAPPA GOUNDER :—" Mr. President, Sir, I do not want to take up the time of the House and I shall try to confine myself to one or two points. In reply to a question put this morning, the Hon. the Finance Member first of all said that no voter need walk more than five miles, but when I wanted to make the position clear, he said that he would like to have the radius of five miles. I would like to point out that if the radius of five miles is adopted in very many cases, it will

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happen that the voters will have to walk more than five miles and in some places it will even come to ten miles, because they do not have a direct route to the polling station. As has been pointed out by my hon. Friend, Mr. Sreshta, there are districts where hills and dales have to be crossed and naturally these are inconveniences which stand in the way of voters reaching the polling stations direct. It will work as 4-5 a hardship if the Government were to fix a radius of five miles. It is p.m. quite necessary that the Hon. the Finance Member should consider the matter and see that the voters are not made to walk longer distances than five miles at any rate. It has been suggested by my hon. Friend, Mr. Koti Reddi, that the maximum distance must be two miles and not more. If that is done, I think the elections would be pure and it would help the selection of candidates who are really liked by their constituents and undue influences would not be brought into play. Even in these days when the election rules are stringent stating that the candidates should not incur these charges, they used to resort to providing conveyances, etc., for the voters. Now that that restraint has been removed under the new Constitution, it will tempt the candidates to spend lavishingly on conveyance and other charges. In order to minimize these evils and to help proper type of candidates coming to the forefront and contesting the elections, it is quite necessary that we should provide all these facilities.

" With regard to bundobust conveniences, the present custom of deputing two constables cannot help the breach of the peace if it is to occur at every polling station. So we can satisfy ourselves by putting a constable for each station and if any trouble at a polling station is to arise, the co-operation of the village officers and of the menial staff may be invoked. That will certainly add to the policing arrangements.

" If the polling stations are to be only in very selected places, the gathering in the places would be so great as to induce some candidates to have resort to undue influence and try that source if they are not popular otherwise. If they are spread throughout the area, they cannot have such scope and thus it will be possible to avoid such things. In order to put an end to all the evils that have been pointed out during the course of the discussion, it will be wise on the part of the Government to give effect to the suggestions that have been made. If the Government are not able to reduce the distance to two miles, I hope they will limit it to any desirable limit, say three miles, but anyway not exceeding five miles' walk. I trust in consideration of what has fallen from the different sections of the House, that the Government will give effect to the recommendations of the resolution."

* The Hon. Sir GEOFFREY BRACKEN:—" Mr. President, I am at one with all the speakers that the elections should be conducted with the minimum corruption and disturbance. How this object on which we are agreed is to be achieved, is the question. The mover of the resolution said that the mere fact that the voter will have to walk five miles would increase corruption. I do not think that the fact that a voter

has to walk two or three or four miles makes very much difference. If I am not mistaken, corruption is the most in urban areas where one need not walk any distances at all. The mover spoke about what happens in other countries. I can assure him that in England and Scotland, voters in many cases have to walk considerably beyond five miles.

"He also suggested the appointment of non-officials as polling officers. I am not quite sure if he was serious in that suggestion. I really do not know how you can employ non-officials as polling officers, since presumably these non-officials will belong to some party or other and all sorts of allegations would be made against them and the Government have got no control over them as they have over their officers. The truth of the matter is that hon. Members who have spoken in favour of the motion have altogether underrated the difficulties and in fact the impossibilities of the suggestion. The number of voters, as hon. Members are aware, has been increased but the number of officers available for duty as polling officers is very much as it was in previous elections. We employ officers of all departments except the Police department who are wanted on other duties; but the number is very limited.

"I will explain very briefly the idea that the Government have about polling. The Government consider that it would be very much better that there should be a presiding officer at each polling station except of course the very small ones where there are only a very few voters, not to do any polling work himself but to spend his time going around seeing that the polling officers at the booths are doing their duties properly and that all the arrangements made outside, such as the police arrangements and so on, are correct and generally seeing that the work proceeds smoothly. I think all hon. Members would agree that some such arrangements are desirable. It is proposed to set up one polling booth for every 1,000 voters with the necessary staff of polling officers. As I have already stated, it will be extremely difficult even with the present arrangement of polling stations to find suitable polling officers and it will be quite impossible to find enough polling officers if you double the number of polling stations.

"Still more important is the question of keeping the peace at the various polling stations. If you limit the number of polling stations, it would be possible to have an adequate posse of police at each polling station and thereby minimize the danger of a breach of the peace. If you double or more than double the number of polling stations, it would mean one or two policemen at each polling station and the force will be dissipated. To my mind it is very important that there should be an adequate posse of police at each polling station to ensure that the polling booths are not rushed and to see that the booths are not set on fire as it happened, I believe, in some recent election. I grant that it is not possible to ensure absolutely that these things will not happen [illegible] ke the

"Some criticisms have been made about individual polling stations. I wish these were made earlier, because then I might have taken steps to put right any mistake that might have occurred. As hon. Members are aware, the lists of polling stations were prepared some time ago. Recently the Collectors were told to look through these lists once again and see that no mistakes had occurred. That was the time when hon. Members should have made their suggestions and not at this eleventh hour.

"Then again there is an insurmountable difficulty and that is about the rolls. If all the polling stations are to be changed, it will take some time for Collectors to work out the new scheme in each district. The rolls have been prepared on the basis of polling stations serially numbered. If we make a radical change in the polling stations as proposed, it means recasting the whole of the rolls and reprinting them over again."

S. M. K. BEYABANI SAHIB Bahadur:—"It is unnecessary."

* The Hon. Sir GEOFFREY BRACKEN:—"It is absolutely necessary. Even if all the presses in the Presidency were to work overtime it would not be possible to get all the work done in time and to get through the programme of elections in the proper time. That is an insurmountable difficulty and I hope that in view of this explanation the hon. Member will withdraw his resolution."

* Mr. K. KOTI REDDI:—"Mr. President, I do not think the arguments of the Hon. Gentleman are convincing. I do not think I would be mistaken if I say that some of us on this side of the House, at any rate myself, have devoted as much time if not more, on this question than the Hon. Gentlemen on the front bench or even anyone in the Secretariat. If I make any suggestions, it is in the hope that they would be very seriously considered. This is not the first time I have come forward to this House to make these suggestions. For the last ten years, I have been making more or less similar suggestions with but practically little effect. If to-day some of us feel very keenly on this, 4-45 p.m. it is because some of us are very, very anxious to prevent corruption, and any hon. Friend who reads some of the committee reports can bear ample testimony to the fact that it is growing from bad to worse in this country. If the Government is really serious about it, it is up to them to find ways and means, whatever may be the cost. Government can afford to make adequate and proper facilities for the voters to exercise their vote so that there may not be the slightest chance for corruption. It is not a boast to say that some of us know intimately the conditions in the mufassal as much as, if not much more than, any hon. Member on the Treasury Bench can lay claim to. How does it lead to corruption? It is in this way. There is a strong feeling in this country that if a voter takes food provided by a candidate or his agent or is prepared to go in the conveyance of the candidate, he feels that he has to vote for him. The coloured box system will be of not much use if you are not going to afford this convenience. Conv-

ances will be absolutely necessary if you are not going to reduce the distances. If the distance he has to walk is so much as four or five miles, he cannot take his meal early in the morning and walk four or five miles to record his vote and therefore somebody must make a provision for food for him. He is going to a different village. I know that the provision that candidates should not treat has been abrogated. The rules were there; yet treating was going on in spite of them. The fact that you have abrogated that rule has helped some as they need not now lie. It does not help in any way the condition of things leading to corruption. The rich man affords motor car, lorries and buses. Another man is not in a position to afford these. Some of the voters are no doubt convinced of the purpose of the party's note, but some would rather prefer the candidate for the amenities provided by him. They will certainly vote for him. Are you going to help in that direction? That is what it comes to, particularly in the case of the rural voters. In the west, the rural voters are at the most 20 per cent whereas here, they are 95 per cent. Conditions here are so different that you must make special provisions. Anything less would not suffice. One serious objection raised to this course is the want of officers for the recording of votes and for presiding and for keeping the peace. So long as you are going to have the coloured boxes system—and I do hope that Government is not going to change this system—but Government may after all give it up at the last moment . . . (The Hon. Sir Geoffrey Bracken: 'May I contradict that statement at once?') I am very glad to hear it at once. I am glad that this system will be kept up till the 1st of April next at any rate. It is a great advantage in many directions. First it ensures secrecy of voting. The one difficulty that we have been hitherto feeling in the polling stations, the one item that has been contributing towards disturbance is the open voting system. As an illustration, take the case where a number of voters come from five villages. Say, voters of four villages are against me and only voters of one for me. The tactics which my agent would adopt is to prevent people of those four villages from voting. The first thing he adopts is he raises all sorts of questions so that each voter may take five minutes or longer for voting. The second thing is he would first see that the voters coming from the village in my favour vote first. Hence the disturbance. With the colour box system, minus the long distance and the provision of carts and lorries by rich candidates there will absolutely be no ground for such disturbance. What is the good of trying to adopt all sorts of dilatory tactics in such a case when you cannot tell whom they are going to vote for? So also in the case of the officers. If the polling officer is going to help certain people, he will have opportunities in the open system. By the adoption of colour boxes there will be no use for his favouritism. Any polling officer with some common sense can do this work. He need not be a B.A. or even an S.S.L.C. Some knowledge is quite enough for our present purpose. If you are absolutely certain of having the colour box system you need not have a big officer for supervision. But at the same time, even if there are difficulties, it is up to you to make adequate

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provision to see that voters exercise their vote freely so that corruption may be put an end to. With regard to keeping peace as my hon. Friend has pointed out and as I can bear testimony to, Government would not be able to do much. If there is to be disturbance there will be disturbance in spite of the posse of constables. The remedy is that you must see that you provide certain conditions. One condition is colour box or other system ensuring secrecy of voting and the reduction of distances for voting."

* The Hon. the PRESIDENT:—"Is the hon. Member likely to leave some minutes for voting?"

Mr. K. KOTI REDDI:—"With regard to the remark that our suggestions are coming at the eleventh hour, Government keeps all information away from us for a very long time, and till the publication was made in the district gazette some time in the beginning of May, none of us were aware of these things. The idea of five miles radius was given as early as May but nobody knew it. It is just possible that I may approach the Collector and be able to do something here and something there. But you have given him the idea of five miles radius and it is impossible to get him to so modify the whole thing as to give us more polling stations. So I want that none of these difficulties should stand in the way. Even to-day it is not too late. The staff of Government is so efficient, as they have been telling us every time, that they will rise to the occasion. Let the order go forth from here and in the course of a month the whole arrangement will be made, I am sure."

The resolution was put and carried.

Mr. M. S. SRESHTA:—"I beg to move—

'*that the consideration of resolutions Nos.* 1 *and* 2 *be adjourned until resolution No.* 3 *is disposed of*'."

The motion was duly seconded.

Rao Sahib Pandit GANALA RAMAMURTI:—"I oppose it."

The motion was put and carried.

(2) INCREASED GRANTS TO AIDED ELEMENTARY SCHOOLS.

Mr. M. S. SRESHTA:—"I beg to move—

'*This Council recommends to the Government that aided elementary schools be given increased grants so as to place them on a position of equality with local board elementary schools.*'

"I regret if I may seem discourteous to some hon. Members who want me to make no remarks on this resolution. But this resolution is so important that I fell that I must say something on it. I believe if I move this resolution and do not finish my speech to-day, I shall be allowed to continue it on the next non-official day."

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* The Hon. the PRESIDENT :—" If there is a non-official day at the next meeting; we cannot say that at this stage."

Mr. M. S. SRESHTA :—" This resolution I have been attempting to move for the last two years and every time I have failed either because I failed in the ballot or having succeeded in ballot have not been able to reach the resolution. Ultimately I have been able to reach the resolution to-day and there is a great deal to be said on this resolution. As members of this Council are aware there is a widespread dissatisfaction at the inadequate grants given to aided schools in this Province. It has been the outcry all over the Province and several conferences have been held and the desire expressed everywhere that more adequate grants should be given to aided schools so that they may carry on not only efficiently but also with a certain amount of comfort and convenience to the teachers. It is a great scandal that teachers in these schools have been paid sometimes five rupees. Grants are fixed on the basis of 108 rupees in the case of trained teachers. It is not adequate for the teachers. Another great grievance is that these grants are not paid in time. Such grants do not reach the managers for some months. Many teachers are not paid their salaries for about 12 months. The grievances of the teachers and the managers are many."

* The Hon. the PRESIDENT :—" The House will now adjourn and meet again at 11 a.m. on Monday."

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

Appendix I.

[Vide answer to question No. 116 asked by Mr. K. A. Nachiyappa *Gounder at the meeting of the Legislative Council held on the 29th* August 1936, page 323 supra.]

Statement.

	Total extent to be served by the Cauvery-Mettur Project.	Revenue.	Forecast for 1935–36. Extent.	Forecast for 1935–36. Revenue.	Actuals for 1935–36. Extent.	Actuals for 1935–36. Revenue.		
				New delta.				
	ACS.	RS.	ACS.	RS.	ACS.	RS.	A.	P.
Ryotwari, wet	17,400	43,500	17,400	43,500	Not reported.	28,955	0	0
Proprietary, wet ..	62,000	6,20,000	17,900	94,333	80,271	1,00,272	11	0
Ryotwari and proprietary, dry.	219,600	32,94,000	69,000	6,27,500	55,676	2,71,267	0	0
Second crop, new ..	84,000	6,30,000	15,000	75,000	3,818	9,545	0	0
	383,000	45,87,500	119,300	8,40,333	..	4,10,039	11	0
				Old delta.				
Second crop ..	70,000	5,25,000	25,000	1,87,500	..	10,385	0	0
Reclassification of sources.	..	5,16,225	..	5,16,225	..	5,03,296	12	0
Increase in water-cess..	..	1,91,400	..	1,91,400	..	..		
Increase in old second crop.	..	1,78,500	..	1,78,500	..	20,727	8	0
	..	..	..	10,73,625	..	5,34,409	4	0

Appendix II.

[Vide answer to question No. 121 asked by Rao Sahib V. Dharma*lingam Pillai at the meeting of the Legislative Council held on the* 29th August 1936, page 326 supra.]

Letter from A. H. A. Todd, Esq., C.I.E., I.C.S., Collector of Chingleput, R.C. No. 1568-36-B-3, dated 23rd March 1936.

[Depressed Classes—House-site—Chingleput district—Tiruvallur taluk—Karikalavakkam village—Legislative Council questions—Report.]

I submit my report as follows on the points raised by the Government:—

(*i*) It is a fact that a cheri site has been allotted to the members of the depressed classes in S. Nos. 12-B-1 and 15-1 in Karikalavakkam village, Tiruvallur taluk. An extent of 1·95 acres in S. No. 12-B-1 and 1·58 acres in S. No. 15-1 have been subdivided and numbered as S. Nos. 12-B-4 and 15-4, respectively,

(ii) It is true a channel passes through the cheri site. It cannot be said that it is an unauthorized channel. It is true that Vishnuvakkam maduvu water is taken to the dry S. Nos. 15-2-A to 2-D, 19-1 and 19-3 owned by the village munsif and his relations. The village munsif and the karnam say that the channel has been in the same condition from a time prior to original settlement. The villagers say that it is about twenty years old. The Tahsildar who has made enquiries thinks that it was a natural stream intended for carrying drainage water to the Karikalavakkam tangal which the owners have been using for taking maduvu water to their fields. The Revenue Divisional Officer who has inspected the spot on three occasions does not say that the channel is a new creation. On the other hand his report indicates that he has accepted that the channel is an old one and it has been really serving as a drainage channel taking water from the tope on S. No. 12-A (Vilappakkam village side). The existence of the district board culvert on the metalled road through which the channel in question passed from S. No. 12-A suggests that the channel is old.

(iii) The channel was inspected by the Revenue Divisional Officer thrice in connexion with the extension of the cheri. He is of opinion that it is not detrimental to the source of supply either to Karikalavakkam tangal (tank No. 477) or to Velliyur tank (No. 478). On the other hand it serves as a supply channel by carrying the drainage water of the surrounding lands to Karikalavakkam tangal, the surplus water of which flows into the Velliyur tank. No Collector inspected this particular channel.

(iv) The Revenue Divisional Officer reports that the Tahsildar has obtained from the owners of the dry lands an undertaking to take the water to their fields through the diverted channel by means of a pipe and that the Adi-Dravidas have no objection to such a course. The channel in question has also been brought to 'B' memorandum this year as ordered by the Revenue Divisional Officer and the Tahsildar has marked the case for his personal inspection.

APPENDIX III.

[Vide answer to question No. 127 asked by Rao Bahadur Subadar-Major S. A. Nanjappa Bahadur at the meeting of the Legislative Council held on the 29th August 1936, page 330 supra.]

Letter from the Chief Secretary, Public (Services) Department, Madras, *to* M.R.Ry. Rao Bahadur Subadar-Major S. A. Nanjappa Bahadur, M.L.C., No. Ms. 322, dated 12th February 1936.

[Public Services—Subordinate Services—Appointment of serving and ex-army men—Raising of age-limit—Petition of S. N. Navamoney, dated 24th July 1935.]

With reference to your endorsement, dated 12th August 1935, on the petition of S. N. Navamoney, Naick clerk, Indian Military Hospital, Trimulgherry, I am directed to say that Government have fixed a higher age-limit than the normal one in the case of ex-army men for appointment to the Madras Police Subordinate Service and the Madras Excise Subordinate Service and that they see no necessity to fix such a higher limit in the case of other services.

APPENDIX IV.

[Vide answer to question No. 142 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 29th August 1936, page 342 supra.]

(1)

G.O. Ms. No. 2460, L.S.G., dated 10th June 1936.

READ—the following papers:—

G.O. No. 3103, L. & M., dated the 6th August 1932.

From the President, District Board, Salem, R.O.C. No. 14207/35-B-3, dated the 2nd April 1936.

From the Inspector of Municipal Councils and Local Boards, L. Dis. No. 13403, dated the 23rd April 1936.

From the President, District Board, Trichinopoly, R.C. No. 11340, dated the 3rd May 1936.

From the President, District Board, West Godavari, R.C. No. 936, dated the 2nd May 1936.

From the President, District Board, Ramnad, R.O.C. No. A.-5-253, dated the 10th May 1936.

From the President, District Board, Malabar, R.O.C. No. 225, dated the 15th May 1936.

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Order—Ms. No. 2460, *L.S.G., dated* 10*th June* 1936.

The President, District Board, Salem, / Trichinopoly, / West Godavari, / Ramnad, / Malabar, is informed that Government have already considered the question of admitting servants in inferior service under local bodies to the benefits of provident fund and have decided it in the negative. They are not prepared to reconsider that decision.

(By order of the Government, Ministry of Education and Local Self-Government)

M. V. SANKARA VARIAR,
Assistant Secretary to Government.

To the President, District Board, Salem. / Trichinopoly. / West Godavari. / Ramnad. / Malabar.
,, *Inspector of Municipal Councils* and *Local Boards.*
,, Examiner of Local Fund Accounts.

(2)

G.O. Ms. No. 2670, L.S.G., dated 24th June 1936.

READ—the following papers:—

From the President, District Board, Tinnevelly, R.O.C. No. 867/36-6, dated the 12th June 1936.

From the President, District Board, Chittoor, R.O.C. No. 669/D.B./36, dated the 12th June 1936.

From the President, District Board, Coimbatore, R.O.C. No. 1468/D.B./36, dated the 12th June 1936.

From the President, District Board, Guntur, D. Dis. No. 205/D.B./36, dated the 15th June 1936.

Order—Ms. No. 2670, *L.S.G., dated* 24*th June* 1936.

The President, District Board, Tinnevelly, / Chittoor, / Coimbatore, / Guntur, is informed that Government have already considered the question of admitting servants in

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inferior service under local bodies to the benefits of provident fund and have decided it in the negative. They are not prepared to reconsider that decision.

(By order of the Government, Ministry of Education and Local Self-Government)

M. V. SANKARA VARIAR,
Assistant Secretary to Government.

To the President, District Board, Tinnevelly. / Chittoor. / Coimbatore. / Guntur.

Copy to other Presidents of District Boards, except Salem, Trichinopoly, West Godavari, Ramnad and Malabar.
,, the Examiner of Local Fund Accounts.

(3)

G.O. Ms. No. 4057, L. & M., dated 9th October 1928.

READ—the following paper:—

From the President, District Board, Chittoor, No. 709, dated the 20th July 1928.

Order—Ms. No. 4057, *L. & M., dated 9th October* 1928.

The President, District Board, Chittoor, is informed that attenders are not entitled to be admitted to the benefits of the Provident Fund scheme without the special sanction of Government.

2. The service of attenders on the scale of Rs. 20—1—25 per mensem under the District Board may be treated as superior service for the purpose of rule 3 of the Provident Fund Rules appended to G.O. No. 3611, L. & M., dated the 17th December 1924, and they may be allowed to subscribe to the Provident Fund established by the District Board.

(By order of the Government, Ministry of Local Self-Government)

N. RAMAYYA SASTRIAR,
Assistant Secretary to Government.

To the President, District Board, Chittoor

APPENDIX V.

[Vide answer to question No. 144 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 29th August 1936, page 344 supra.]

Statement showing the number of motor buses plying for hire in each district during the quarter ending the 30th June 1936.

Name of district.	Number of motor buses plying for hire.	Name of district.	Number of motor buses plying for hire.
Vizagapatam	102	South Arcot	104
East Godavari	148	Tanjore	201
West Godavari	113	Trichinopoly	180
Kistna	136	Madura	271
Guntur	153	Ramnad	162
Nellore	127	Tinnevelly	172
Cuddapah	62	Coimbatore	269
Anantapur	58	The Nilgiris	76
Bellary	86	Salem	190
Kurnool	64	South Kanara	148
Chingleput	46	Malabar	210
Chittoor	96	Madras City	313
North Arcot	118		

APPENDIX VI.

[Vide answer to question No. 149 asked by Mr. M. S. Sreshta at the meeting of the Legislative Council held on the 29th August 1936, page 347 supra.]

Name of society.	Audit fees leviable for 1934-35.	Number of days taken by the auditor for audit during 1934-35.	Cost on account of the audit including leave allowance and pension contribution for 1934-35.
	RS. A. P.		RS. A. P.
1. Mangalore Catholic Co-operative Society ..	966 7 0	81	183 1 0
2. South Kanara Co-operative Central Bank ..	594 9 0	198	619 11 0

Appendix VII.

[Vide answer to question No. 156 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 29th August 1936, page 351 supra.]

G.O. No. 814, Education, dated 25th April 1936.

The Government direct that the total number of candidates admitted for L.T. training in the Teachers' College, Saidapet, should be raised from 180 to 200 with effect from the academic year 1936–37.

(By order of the Government, Ministry of Education and Local Self-Government)

C. H. Masterman,
Secretary to Government.

To the Director of Public Instruction, Madras.

Appendix VIII.

[Vide answer to question No. 157 asked by Mr. G. Rameswara Rao at the meeting of the Legislative Council held on the 29th August 1936, page 352 supra.]

G.O. No. 727, Education, dated 13th April 1936.

The Government approve the proposal of the Commissioner for Government Examinations that a fee of Rs. 3 per candidate may be levied to cover additional expenditure to be incurred in connexion with the re-examination to he held towards the end of this month of the candidates who appeared for the S.S.L.C. Public Examination in the districts of Anantapur, Bellary, Cuddapah, Kurnool and Guntur in March last.

(By order of the Government, Ministry of Education and Local Self-Government)

C. H. Masterman,
Secretary to Government.

To the Commissioner for Government Examinations.
„ Accountant-General, Madras, through the Finance Department.
„ Finance Department.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Monday, the 31st August 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. Ramachandra Reddi) in the Chair.

PRESENT:

Paunirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, The Hon. the
Rajan, The Hon. Mr. P. T.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani Sahib Bahadur, S. M. K.
Dalavoi, Mr. R.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. G. F. F.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Hodgson, Mr. G. H.
Hood, C.I.E., I.C.S., Mr. H. M.
Indraiah, Mr. C.
Iswaran Pillai, Mr. I. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahih C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumara Raja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Mahabaleswarappa, Mr. Y.
Maharaja of Venkatagiri, The.
Mahboob Ali Baig Sahib Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahih Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar of Chettinad, Rajkumar M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa Bahadur, Rao Bahadur Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Diwan Bahadur C.
Nayagam, Mr. C. D.
Obi Reddi, Mr. C.
Palat, Mr. R. M.
Patnaik Mahasayo, Sriman M. G.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Diwan Bahadur T. A.
Ramalinga Reddi, Mr. C.
Ramamurti, Rao Sahih Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Ratnavelu Thevar, Mr. P.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.
Sandana Gounder, Mr. I.
Schamnad Sahib Bahadur, Khan Bahadur Mahmud.
Scott Brown, I.C.S., Mr. W.
Sesha Reddi, Rao Bahadur B. P.
Shaiku Mohamad Laljan Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Sivasubrahmanya Ayyar, Mr. K. S.
Smith, Mr. J. M.
Soundarapandian, Mr. W. P. A.
Sreshta, Mr. M. S.

PRESENT—*cont.*

Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Stanes, Mr. F. J.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thangal, Mr. P. M.
Thomas, Mr. Daniel.
Uzielli, C.I.E., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr V. G.
Vedachala Mudaliyar, Rao Sahib M.
Venkatachala Reddiyar, Mr. K. C. M
Venugopal Nayudu, Rao Bahadur R. K
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.
Zamindar of Tekkali, Senior, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Memorials from pandits and munshis regarding their pay and status in the Subordinate Educational Service.

* 161 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether it is a fact that pandits and munshis have memorialized the Government regarding their status and scale of pay in the Subordinate Educational Service; if so, whether the Hon. the Minister will be pleased to place a copy of the same on the table of the House;

(*b*) whether any and, if so, what orders have been passed on the same; and

(*c*) whether the Director of Public Instruction has made any recommendations or proposals regarding the same; if so, what the said recommendations are?

A.—(*a*), (*b*) & (*c*) The memorials received from pandits and munshis and the recommendations of the Director of Public Instruction thereon are under the consideration of Government. They do not consider that any useful purpose will be served by placing a copy of the memorials on the table; nor are they prepared to publish the Director of Public Instruction's recommendations thereon.

Mr. T. S. RAMASWAMI AYYAR:—" May I know whether Government will be pleased to consider the case of pandits and munshis in Local Self-Government service also? "

The Hon. the RAJA OF BOBBILI:—" The Hon. Minister for Education has not yet come, Sir, to answer."

Mr. T. S. RAMASWAMI AYYAR:—" I am only making a suggestion that in considering this question the Government should consider the case of those in Local Self-Government service also? "

The Hon. the RAJA OF BOBBILI:—" The matter will be considered, Sir."

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Mr. G. RAMESWARA RAO:—" May I know whether the Hon. Minister is aware that among pandits there are very distinguished poets and writers, one of whom has been given the doctorate of the Andhra University recently and therefore their case should be properly considered? "

The Hon. the PRESIDENT:—" The Hon. Minister for Education is come, Mr. T. S. Ramaswami Ayyar."

Mr. T. S. RAMASWAMI AYYAR:—" May I know whether Government will be pleased to consider the case of pandits and munshis in Local Self-Government service also? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" This question relates only to those in Government service, Sir."

Mr. T. S. RAMASWAMI AYYAR:—" When this question is raised by the pandits and munshis in Local Self-Government service, will the Government consider their case also at the same time? "

The Hon. the RAJA OF BOBBILI:—" As far as the local bodies are concerned, the matter has been considered twice. Two scales of pay have been prescribed for the pandits and munshis, the higher grade and the lower grade and I believe the local hodies have been allowed to give the higher scale of pay."

Scheme of elementary education drawn up by the Elementary Education Sub-Committee of the Provincial Economic Council.

* 162 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether any scheme has been drawn by the Elementary Education Sub-Committee of the Provincial Economic Council in the matter of the spread of elementary education on useful lines;

(*b*) if so, what it is and whether full details of it will be placed on the table; and

(*c*) if it has not been fully drawn up, at what stage it is and when it is likely to come to fruition?

A.—(*a*) & (*b*) No scheme has yet been drawn up.

(*c*) The Sub-Committee has not yet concluded its deliberations.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask when the Sub-Committee is likely to conclude its deliberations? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It has since concluded its deliberations and the report has been published in the Press."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Are we to take it that the Government in accordance with the recommendations of the Sub-Committee do not propose to embark on a scheme of compulsory elementary education? ".

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think my hon. Friend's idea of the recommendations is quite

correct. The recommendations will be duly considered by the Government and orders will be passed. It is too early to say to what extent the recommendations will be accepted."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask whether the report will be made available to this House?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It has been given to the Press. I do not know what more my hon. Friend wants."

Dr. P. SUBBARAYAN:—" Will it be placed on the table of the House so that hon. Members may not depend on newspaper reports?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I shall consider the matter."

Consideration of the memorandum submitted by Mr. P. V. Krishnayya Choudari, M.L.C., on "Elementary Education."

* 163 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state whether any order has been passed on the memorandum sent by me on "Elementary Education" in the province?

A.—No. In view of the detailed reply given to the hon. Member by the Director of Public Instruction (the late Mr. Champion) in June 1935, it was considered unnecessary to take any further action in the matter.

Mr. P. V. KRISHNAYYA CHOUDARI:—" In some of the replies given by Mr. Champion, it is suggested that the matter will be considered. May I know whether the Government are prepared to consider the matter and pass orders at an early date?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot say."

Mr. T. S. RAMASWAMI AYYAR:—" Will the Government be pleased to lay on the table of the House the memorandum sent by the hon. Member from Guntur and the reply they gave?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is a demi-official reply, and I do not think any useful purpose will be served by placing it on the table."

Mr. T. S. RAMASWAMI AYYAR:—" When the hon. Member himself asks for information on the matter raised by him, I think its demi-official nature has ceased to exist?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I wonder if the matter is of such public importance as to be placed on the table of the House. We must first get the hon. Member's permission to publish it, and even if he gives the permission, the Government must consider whether it is worth while to lay it on the table."

Dr. P. SUBBARAYAN:—" Do not the Government consider that the other Members of the House ought to have a voice in the matter raised by the hon. Member from Guntur? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" If it is worth while laying the information on the table, the Government will do it."

Sir A. P. PATRO:—" Do the Government think that the hon. Member's memorandum is so hopeless that they are ashamed to lay it on the table? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not feel called upon to answer a question characterising an hon. Member's memorandum in such disrespectful terms."

Sir A. P. PATRO:—" Is it not the duty of the Government, when we ask for some public information, to lay it on the table? Why should the Government make a secret of it? "

Dr. P. SUBBARAYAN:—" May I ask the Hon. Minister to make it public property? The hon. Member himself did make a suggestion to the Hon. Members of Government whether it would not be right and proper that the other Members of the House should have a copy of the memorandum? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think I can agree with anything that has been said to-day with regard to the necessity for its publication."

Trial of the experiment of the modified form of compulsion in schools.

* 164 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Public Health be pleased to state whether the modified form of compulsion is being given a trial in any schools?

A.—No.

Mr. A. B. SHETTY:—" May I know why this modified form of compulsion has not been introduced in any area? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I may say that the proposals are being considered by the Government with regard to the preliminary work that has to be done before introducing that form of compulsion."

Mr. T. S. RAMASWAMI AYYAR:—" May I know whether already a year has not elapsed since the passing of the amending Act which introduced this changed form of compulsion and why steps have not been taken to bring it into force? Is it the idea of the Government to postpone it? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The scheme involves a considerable amount of preliminary work."

Mr. BASHEER AHMED SAYEED:—" May I know whether the proposals include also the City of Madras? "

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The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think so. In the City of Madras you have got a complete form of compulsion."

Mr. G. R. PREMAYYA:—" Does the Hon. Minister hope to introduce some sort of compulsion before the 31st March next? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" We cannot say now."

Mr. A. B. SHETTY:—" In which areas it is proposed to be introduced first? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" We are awaiting proposals."

Working of the modified form of compulsory elementary education.

* 165 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) in how many places the newly enacted modified form of compulsion in elementary education has so far been introduced and what those places are;

(*b*) whether any reports have been received with regard to the working of this scheme, and if so, whether a copy of them will be placed on the table; and

(*c*) in which of the places such a scheme is proposed to be introduced during this year and the next?

A.—(*a*) & (*b*) The modified form of compulsion has not yet been introduced in any area.

(*c*) The matter has not been considered by the Government.

Opening of elementary schools by local boards within a distance of one mile from private schools.

* 166 *Q.*—Mr. M. S. SRESHTA: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether there are any elementary schools in this Province maintained by local bodies within one mile from private schools;

(*b*) if so, whether those private schools are efficiently managed and receive grants; and

(*c*) whether the Government have asked the local bodies to close such local board schools and refused subsidies in respect of them?

A.—(*a*) Yes. Some.

(*b*) Yes. In some cases.

(*c*) It is the policy of the department not to recommend the opening of schools by local bodies in areas which are adequately served by aided schools and subsidies for the opening of such schools are being refused.

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Mr. G. RAMESWARA RAO:—"May I know whether the Government intend to give more aid to private schools and see how far they can be helped to be run efficiently?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"It has been always the policy of the Government to encourage the management of private aided schools. I do not think my hon. Friend is suggesting any new policy. That has always heen the Government's policy."

Mr. M. S. SRESHTA:—"Is the Hon. Minister aware that the aid to a private school at Erumayur in my own district of South Kanara has been withdrawn in spite of the fact that it has been in existence for the last fifteen years, on the ground that there are local hoard schools in the neighbourhood?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I am not aware."

Mr. M. S. SRESHTA:—"Will the Hon. Minister enquire?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"That is not referred to in the question. If the hon. Member will address the Government or the department, the matter will be enquired into."

Mr. G. RAMESWARA RAO:—"May I know whether Government will encourage private schools where there are already local board schools?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I think in many cases that has been done."

Award of half-fee concessions to the rich and middle class pupils belonging to the scheduled classes.

* 167 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether several rich and middle class persons are being given half-fee concessions merely on the ground that they belong to a caste mentioned in the list of scheduled classes; and

(*b*) whether the said concessions are renewed in practice from year to year even to pupils who are not promoted to the higher class?

A.—(*a*) Under rule 92 of the Madras Educational Rules, half-fee concessions can be granted to pupils belonging to backward classes or castes only if in the opinion of the authority awarding the concessions, the pupils are so poor that the grant of the concession is necessary to enable them to continue their studies.

(*b*) Under the rule referred to above the fee concessions should be withheld from pupils who are detained for more than two years in a class. The Government are not aware of any misuse of the rule.

Mr. G. RAMESWARA RAO:—"Are the Government aware that children of very rich parents have managed to obtain the poverty certificates and are now being given the free scholarships?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I am not aware."

Mr. G. RAMESWARA RAO:—"May I know what changes are proposed to be made in the rules in order to avoid such anomalies?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The system of half-fee concession is under examination by a committee, and when the recommendations of that committee are received, Government will take action."

Mr. G. RAMESWARA RAO:—"May I know whether the recommendations will be laid on the table of the House?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"When they are received, I shall consider."

Medical Administration

Withdrawal of medical officers lent for service in local fund medical institutions.

* 168 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether there are any proposals for withdrawing the medical officers lent to be in charge of local fund medical institutions to any extent during the current year or the next; and

(*b*) if so, what they are, and from which of such institutions they are to be so withdrawn, and on what principles such withdrawals are made?

A.—(*a*) & (*b*) No. The Government have decided to hold in abeyance the withdrawal of Government Sub-Assistant Surgeons from the service of local bodies until the supernumerary posts in the cadre of Government Sub-Assistant Surgeons have been abolished.

Schedule of fees payable by in-patients of the Government General Hospital to the Medical Officers concerned.

* 169 *Q.*—Mr. V. T. ARASU: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether Government have fixed any schedule of fees to be paid by the patients seeking admission as in-patients of the Government General Hopital to the Medical officers of that hospital; and

(*b*) if so, whether the schedule of rates will be made available to the general public?

A.—(*a*) No. In-patients seeking admission into the hospital are not required to pay any fees to medical officers.

(*b*) Does not arise.

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Withdrawal of the privilege of free medical treatment in the case of the students of the Vizagapatam Medical College.

* 170 *Q.*—Mr. C. RAMALINGA REDDI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether it is a fact that till some time recently the students of the Vizagapatam Medical College were given free medical treatment in the Government Hospital;

(*b*) whether this privilege has since been withdrawn;

(*c*) if so, from what date;

(*d*) whether representations had been made for the restoration of the old mamul; and

(*e*) what action has been taken by the Government?

A.—(*a*) No. They were never given free medical treatment.

(*b*), (*c*) & (*d*) Do not arise.

(*e*) Orders have since been issued sanctioning free medical treatment to students of Government Medical Colleges and Schools in Government Hospitals.

Establishment of a home for the mental defectives.

* 171 *Q.*—Mr. BASHEER AHMED SAYEED: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) what steps the Government have taken to establish a home for the mental defectives;

(*b*) what the cost is of the proposed scheme, if any, and for how long it has been pending; and

(*c*) when the Government propose to sanction and execute the scheme?

A.—(*a*) *to* (*c*) The hon. Member is referred to the answer to question No. 991, dated the 20th March 1936. In 1930, the Surgeon-General reported that the estimated non-recurring and recurring expenditure on the establishment of a home for 100 mentally defective children was Rs. 12,000 and Rs. 60,000, respectively. This estimate did not include the cost of the site and the buildings required for the home. In 1933 the Honorary Secretary of the Madras Children's Aid Society suggested a scheme for the establishment of a home for the accommodation of not more than 12 mentally defective children at an estimated initial and recurring cost of Rs. 500 and Rs. 4,680 per annum, respectively. Both the schemes were dropped owing to financial stringency. The Government have no such scheme now under consideration.

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Mr. Basheer Ahmed Sayeed:—"Will they take up the question of making provision for mentally defective children in the Mental Hospital?"

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"I shall look into the question."

Measures for improving the accommodation of the Government Mental Hospital, Madras.

*172 *Q.*—Mr. Basheer Ahmed Sayeed: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) what steps the Government have taken since the annual report of the year 1934 on the working of the Mental Hospitals for preventing overcrowding in the Madras Mental Hospital;

(*b*) what the cost is of the proposed schemes for improved accommodation and improvements to the Madras Mental Hospital; and

(*c*) at what stage these schemes are and when the Government propose to sanction and execute them?

A.—(*a*) After the receipt of the annual report referred to, the Government approved the scheme of extensions to the Mental Hospital, Madras, and requested the Surgeon-General to obtain and submit detailed plans and estimates for the work together with details of the recurring and non-recurring expenditure for running the hospital. The Surgeon-General has submitted detailed plans. The Consulting Architect to Government has been asked to prepare detailed estimates.

(*b*) & (*c*) The information is furnished below:—

Name of the scheme.	Estimated cost.	
	Non-recurring.	Recurring.
	RS.	RS.
(1) Extensions to Mental Hospital, Madras ..	2,17,200	48,490
(2) Improvements to the drainage arrangements	18,000	..
(3) Improvements to the Brahman kitchen ..	2,900	..

The present stage of item (1) is stated in the answer to clause (*a*) above. The other two items are under the consideration of the Government.

Mr. Basheer Ahmed Sayeed:—"May I ask how long they will take to complete the scheme which is pending consideration?"

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"I cannot say."

Mr. Basheer Ahmed Sayeed:—"Is it fair from the point of view of the Department of Public Health that there should be systematic overcrowding in a hospital like the Mental Hospital?"

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"It is very undesirable I admit."

Mr. BASHEER AHMED SAYEED :—May I know, Sir, when the Government realize that it is undesirable to allow overcrowding, why they are not able to spare some funds to maintain that hospital in a satisfactory condition? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Because funds are not available."

Mr. T. S. RAMASWAMI AYYAR :—" May I know if it has not been brought to the notice of the Hon. Minister by the Superintendent of the Mental Hospital for the last two or three years that more accommodation is very badly wanted? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Possibly so."

Mr. T. S. RAMASWAMI AYYAR :—" May I know if the application of the Superintendent for more accommodation has been supported by the Surgeon-General and there is crying need for it? If so, is it fair that the Government should delay the matter?

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" There is need, I admit. Whether it is fair or unfair to delay it, that depends upon Government's resources.

Mr. T. S. RAMASWAMI AYYAR :—" It is the fashion to delay such matters? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" I cannot admit that."

Mr. BASHEER AHMED SAYEED :—" Does the Government realize that the Superintendent is liable to prosecution for allowing overcrowding? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" My hon. Friend is a lawyer; he may try that prosecution and see what its fate will be."

Mr. BASHEER AHMED SAYEED :—" Does the Government propose to have him prosecuted? "

Dr. P. SUBBARAYAN :—" May I enquire whether the Hon. Minister is going to encourage prosecution of Government officers by himself giving cause for it? "

Application of the Salem District Board for half-grant for the construction of a new building at Idappady for the dispensary.

* 173 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the President of the Salem District Board has applied for half-grant for the construction of a new dispensary building at Idappady;

(*b*) whether it is a fact that the district board has provided necessary funds for the said work in their budget for 1936–37; and

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(c) in what way the said application of the president has been disposed of and whether a copy of the order passed in the matter will be placed on the table?

A.—(a) The application for grant was received in 1935.

(b) Yes.

(c) A copy [a] of G.O. No. 2822, P.H., dated 30th October 1935, is placed on the table.

Mr. K. A. Nachiyappa Gounder:—"May I ask the Hon. Minister whether he will be pleased to see that a provision is made for this purpose at least in the budget for 1937–38?"

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"It is too early to say what will be done in 1937–38."

Mr. K. A. Nachiyappa Gounder:—"May I ask whether Government is aware that the present building in which the dispensary is situated is quite unsuitable?"

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"It is perhaps as bad as the Mental Hospital in Madras."

Agriculture

Memorial from the Tobacco Growers' Association for provision of seed-beds and seedlings.

* 174 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Public Works be pleased to state whether any memorandum has been received by the Government from the Tobacco Growers' Association to start seed-beds and to supply seedlings to the ryot; if so, what steps the Government have taken in the matter?

A.—The Government have not received any such representation from the Association.

Railway freight concessions for the export of agricultural produce.

* 175 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Public Works be pleased to state whether any communication has been received by the Government from any Member of the Legislative Council urging the need for the grant of railway concessions for exporting agricultural products to other Provinces; if so, whether they have addressed the Government of India on the subject?

A.—No communication has been received from any Member of the Council on this subject.

Mr. P. V. Krishnayya Choudari:—"May I know whether Government are prepared to address the Government of India asking them to give some freight concessions for the transport of agricultural produce to other provinces, especially on the Madras and Southern Mahratta Railway?"

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[a] Printed as Appendix I on page 498 infra.

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The Hon. Mr. P. T. RAJAN :—" Certain concessions have already been given. If my hon. Friend would address this Government on what articles concessions are required and to what provinces, we will address the Government of India."

Mr. T. S. RAMASWAMI AYYAR :—" May I know whether a communication has not been received by the Government from the hon. Member representing Guntur in this connexion? "

The Hon. Mr. P. T. RAJAN :—" As far as I am aware, no representation has been received."

Protests against the increase by the South Indian Railway Company of the railway freight on manure.

* 176 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether representations have been received from the Secretary of the Agricultural Co-operative Society at Kumbakonam by the Director of Agriculture soliciting intervention in the matter of increasing of the railway freight on the manures including chemical manures by the South Indian Railway Company by 25 to 50 per cent; and

(*b*) if so, what action has been taken thereon and how they have been disposed of?

A.—(*a*) Yes.

(*b*) The Director of Agriculture addressed the railway company. Though the company declined to restore the old rates they said that they would be prepared to consider the question of reduction of rates in cases where traffic is carried over long distances. A copy of the reply received from the company was forwarded to the Secretary of the Society on 23rd April 1936 for remarks, but the Director of Agriculture has had no reply.

Fisheries

User of the coble by the Fisheries department for purposes of deep-sea fishing.

* 177 *Q.*—Mr. A. B. SHETTY : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the coble in charge of the Fisheries department is doing any deep-sea fishing experiment;

(*b*) what work it has done in 1935–36 and what amount has been spent upon it last year;

(*c*) whether any master fisherman has been engaged and, if so, for what work; and

(*d*) whether the Government have been advised that a coble is a suitable vessel for deep-sea fishing?

A.—(*a*) No.

(*b*) The coble did not work during 1935–36. A sum of Rs. 131–13–6 was spent on her upkeep.

(*c*) The question of appointing a master fisherman is under consideration and the High Commissioner for India has been addressed.

(*d*) Yes.

Mr. A. B. Shetty:—"May I ask whether the Government have been advised that a coble is a more suitable vessel for deep sea fishing than a trawler?"

The Hon. Mr. P. T. Rajan:—"I cannot answer that offhand."

Mr. A. B. Shetty:—"May I ask whether the Hon. Minister is aware that the experiments that were being made with a trawler were given up as hopeless?"

The Hon. Mr. P. T. Rajan:—"I cannot say offhand."

Mr. T. S. Ramaswami Ayyar:—"May I know whether Government have abandoned the idea of having a trawler after the last trawler "Lady Goschen" had broken down?"

The Hon. Mr. P. T. Rajan:—"I cannot say anything now."

Industries

Development of the ceramic industry.

* 178 *Q.*—Mr. A. B. Shetty: Will the Hon. the Minister for Public Works be pleased to state what steps the Government propose to take to develop ceramic industry in this Presidency in accordance with the findings of the ceramic survey done some time ago?

A.—The matter is under consideration.

-15 .m. Mr. A. B. Shetty:—"May I ask the Hon. Minister how long the matter has been under the consideration of Government?"

The Hon. Mr. P. T. Rajan:—"For the last one or two years."

Mr. T. S. Ramaswami Ayyar:—"May I know for how long more it will be under consideration by Government?"

The Hon. Mr. P. T. Rajan:—"For some time more it will be under consideration, because we have got to get expert advice."

Mr. V. M. Ramaswami Mudaliyar:—"May I ask whether any concrete results will follow from the consideration by Government?"

The Hon. Mr. P. T. Rajan:—"We have found some materials. We want to know whether they compare favourably with the raw materials obtainable elsewhere and whether they are suitable for making porcelain wares at competitive rates. We have no expert advice so far, and as soon as we get it, something will be done."

Mr. M. S. Sreshta:—"Is it not a fact that the Industries Committee recommended the establishment of a ceramic demonstration factory on the west coast?"

The Hon. Mr. P. T. Rajan:—"Possibly so."

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Tenability of scholarships awarded to students at the Victoria Technical Institute, Bombay.

* 179 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state whether the scholarships for students at the Bombay Victoria Technical Institute are meant to be given from the time they join the institute, or whether they can he given to second or third year students also?

A.—Scholarships are awarded either in the beginning or in the middle of the course with reference to the circumstances of each individual case.

Mr. A. B. SHETTY:—" May I ask the Hon. Minister how many scholarships have been awarded to students in the middle of the course? "

The Hon. Mr. P. T. RAJAN:—" Generally, scholarships are awarded in the beginning of the course, and sometimes they are awarded also in the middle of the course. As far as I am aware, one scholarship was granted in the middle of the course this year."

Mr. BASHEER AHMED SAYEED:—" May I know the circumstances which necessitated the grant in the middle of a course? "

The Hon. Mr. P. T. RAJAN:—" The reason was that we were informed that a particular student was unable to continue his studies without a scholarship and that he deserved it. This was according to the report of the Principal."

Mr. A. B. SHETTY:—" Was it the only one of its kind? "

The Hon. Mr. P. T. RAJAN:—" As far as I am aware, it is so."

Proposal for the conversion of the Trades School, Mangalore, into an Industrial School.

* 180 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether representations have been made to the Government to convert the Trades School in Mangalore into an industrial school; and

(*b*) whether the Government have considered this question and come to any decision regarding it?

A.—(*a*) & (*b*) The board of visitors to the school suggested in 1934 that the short course in cabinet making might be extended to a regular full-time course as in Government Industrial schools. The suggestion was not accepted on account of financial stringency.

Proposals for founding an Artisans' Bank.

* 181 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that the Government are considering the proposal of organizing an Artisans' Bank for the exclusive benefit of

the artisan classes so as to help the industrial pursuits of thi Presidency on the lines of the bank to be organized by the Governmen of United Provinces of Agra and Oudh; and

(b) if not, why not?

A.—(a) No.

(b) There is no need for it as the Madras State Aid to Industrie Act, 1923, is wide enough to cover applications for loan for small scale and cottage industries also.

Mr. T. S. Ramaswami Ayyar:—" May I ask whether not evei Rs. 1,000 was provided in the Budget last year for helping th industries under the State Aid to Industries Act and whether there i really any need for a bank of this kind? "

The Hon. Mr. P. T. Rajan:—" I cannot answer this questio offhand."

Mr. T. S. Ramaswami Ayyar:—" May I know what provision wa made in the Budget last year to meet applications for loans under th State Aid to Industries Act? "

The Hon. Mr. P. T. Rajan:—" Notice."

Mr. V. M. Ramaswami Mudaliyar:—" May I ask whether the Hon Minister is aware of a case where for the manufacture of a certai article a certain individual applied for a loan under the State Aid t Industries Act, and he was asked to remit Rs. 100 as fees for scrutinizin certain legal documents? "

The Hon. Mr. P. T. Rajan:—" Notice."

Mr. Basheer Ahmed Sayeed:—" May I know, Sir, whether large sum provided for the purpose lapsed? "

The Hon. Mr. P. T. Rajan:—" Notice, Sir."

Tube wells and artesian wells in Malabar and South Kanara.

* 182 Q.—Mr. A. B. Shetty: Will the Hon. the Minister fo Public Works be pleased to state—

(a) how many artesian borings have so far been put down b the engineering section of the Department of Industries in this Presi dency and what number of these borings are in Malabar and in Sout Kanara; and

(b) how many tube wells have been sunk and borings put dow in existing wells in this Presidency and how many out of these ar in Malabar and in South Kanara?

A.—(a) Ninety-seven in the whole Presidency up to 31st Marc 1936 but none so far in Malabar or South Kanara district

(b) As many as 16,621 borings have been put down in the whol Presidency up to the 31st March 1936. Details as t how many of these have been sunk on the ground an how

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put down in Malabar or South Kanara district are not readily available. The figures for the last three years were, however, as follows:—

Year.		Number of ground borings (including cleaning of old bore-holes).	Number of well borings.	Number of borings in Malabar and South Kanara districts.	
				Ground.	Well.
1933–34	..	696	351	14	8
1934–35	..	784	391	28	2
1935–36	..	507	488	35	2

Mr. A. B. Shetty:—"May I ask, Sir, whether Malabar and South Kanara are unsuitable for sinking tube-wells?"

The Hon. Mr. P. T. Rajan:—"I have no information on the subject."

Public Works

Observance of the rule of three years' maximum stay at a station in the case of officers of the Public Works Department.

* 183 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state whether the general rule of not allowing Government officers to continue in the same station for more than three years is observed in the Public Works Department also?

A.—The normal rule in the Public Works Department is that officers should be kept in the same station for about three years unless the exigencies of service require a transfer.

Mr. K. A. Nachiyappa Gounder:—"May I ask the Hon. Minister whether an officer in the Public Works Department can be allowed to remain in a station for more than three years?"

The Hon. Mr. P. T. Rajan:—"Nothing prevents their being allowed to remain in the same station for more than three years."

Mr. K. A. Nachiyappa Gounder:—"Is it not the practice that ordinarily they should not be kept in the same station for more than three years?'

The Hon. Mr. P. T. Rajan:—"Quite so. Ordinarily they should not be kept in the same station for more than three years. That does not mean that they should be sent out after three years."

Progress of the scheme for the electrification of the civil courts buildings in Salem.

* 184 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the electrification of the civil courts buildings in Salem town has been completed and, if so, when and at what cost;

(*b*) if not, when the work is likely to be undertaken; and

(*c*) what the reasons are for not taking up the work on hand?

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A.—(*a*) & (*c*) The work was not taken up previously for want of funds.

(*b*) Funds have been provided in the current year for the electrification of the District Court buildings and it is expected that the work will be undertaken and completed shortly. The electrification of the District Munsif's Court buildings will be taken up when funds become available.

Local Self-Government

Municipalities functioning without commissioners.

* 185 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) to which of the municipalities commissioners are yet to be appointed;

(*b*) what the reasons are for not appointing a commissioner to each of them; and

(*c*) what the names are of municipalities where deputy collectors are working as commissioners, and what the pay, allowances, etc., spent on such commissioners are and the annual normal income in each of those municipalities?

A.—(*a*) Walajapet and Udipi municipalities.

(*b*) The Walajapet Municipal Council has been superseded recently for a period of two years and the appointment of a commissioner to this municipality has therefore been deferred for the present. As regards Udipi, the attention of the hon. Member is invited to the answer to question No. 54.

(*c*) A statement [a] is appended.

Mr. T. S. RAMASWAMI AYYAR:—"In view of the experience of Government that diarchy in the Local Self-Government Department is not working well, may I ask whether the Government will review the situation and find out whether commissioners are needed in other municipalities also?"

The Hon. the RAJA OF BOBBILI:—"As far as my experience goes, they are necessary. I cannot agree with the opinion of my hon. Friend that the system is not working satisfactorily."

Mr. T. S. RAMASWAMI AYYAR:—"May I ask the Hon. Minister whether cases have not arisen where the local bodies have quarrelled with the commissioners and matters have come to the notice of Government in more than one instance?"

The Hon. the RAJA OF BOBBILI:—"Yes; but this is the first time that the system is tried. It is therefore natural that there may be cases of friction arising. But I am glad to say that things are improving."

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[a] Printed as Appendix II on page 498 infra.

Municipalities which have adopted censure motions on their Commissioners.

* 186 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) what the names of municipalities are which have passed a censure motion on their commissioners, since the introduction of such posts; and

(*b*) whether a copy of the motion and the Government Order passed in each of those cases will be placed on the table?

A.—(*a*) & (*b*) The attention of the hon. Member is invited to the answer to question No. 649 replied on the 31st January 1936. No further instances than those furnished therein have since arisen.

MAHABOOB ALI BAIG SAHIB Bahadur: "Is it not a fact that, on account of the existence of the provision for no-confidence motions against the commissioners, the position of commissioner of a municipality has become insecure and that, in order to maintain his position, he is obliged to side one party or another, and, if so, whether this state of affairs would not lead to corruption, etc.?"

The Hon. the RAJA OF BOBBILI:—"Government realize that this provision has not been utilized to the best interest of the municipalities. If they are satisfied that public opinion is in favour of the removal of the provision, they will consider it."

Mr. G. RAMESWARA RAO:—"Are the Government aware that in the Vizagapatam Municipality they do not want a commissioner?"

The Hon. the RAJA OF BOBBILI:—"I do not believe so, Sir."

MAHBOOB ALI BAIG SAHIB Bahadur:—"May I ask whether any case has been brought to the notice of the Government that the commissioners have been siding one party or another in order to maintain their position as commissioners?"

The Hon. the RAJA OF BOBBILI:—"No such case has been brought to the notice of Government. But I believe that if such complaints reach the Government, they would enquire whether they are well founded or not."

Mr. T. S. RAMASWAMI AYYAR:—"May I ask, Sir, whether the Government have not considered the need for the withdrawal of the services of commissioners from certain local bodies in view of the trouble between the local bodies and the commissioners?"

The Hon. the RAJA OF BOBBILI:—"There are certain cases where there has been friction between the commissioner and the council and in a few cases the Government have changed the person."

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Delay in the submission of the Budget of the Narasaraopet Municipality for 1936–37.

* 187 *Q.*—Mr. G. SIMHACHALAM PANTULU: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the budget of the Narasaraopet Municipality for the year 1936–37 has not been received by the Government yet; and

(*b*) if so, (i) what is the latest date by which budgets of municipal councils should be received; and (ii) what action the Government propose to take against the commissioner or the council concerned?

A.—(*a*) The budget estimate of the municipality was received by the Government on the 29th May 1936.

(*b*) The date fixed for the submission of the budget is 15th January 1936. A copy [a] of the commissioner's letter explaining the reasons for the delay is laid on the table. If similar delays occur in future the Government will consider the question of taking action against the council under section 41 of the Madras District Municipalities Act.

Mr. G. SIMHACHALAM PANTULU:—"May I know from the Hon. Minister whether the Government have sanctioned the budget estimate of the municipality now?"

The Hon. the RAJA OF BOBBILI:—"I must ask for notice of the question."

Proposals for the withdrawal of the cuts in the salaries of the establishment of the Narasaraopet Municipality.

* 188 *Q.*—Mr. G. SIMHACHALAM PANTULU: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) when the commissioner took charge of the Narasaraopet Municipality; and

(*b*) what steps he took to remove the cuts in the salaries of the subordinates of the Narasaraopet Municipality for the last four years and sanction the withheld increments?

A.—(*a*) On the afternoon of the 17th April 1935.

(*b*) By the 1st April 1936, the cuts in salaries of all the staff were removed and the increments withheld sanctioned to them. The council has, however, subsequently proposed to effect a retrenchment in the pay of the secondary school staff so as to balance its budget for 1936–37.

Representations for the abolition of the Kalappanaickenpatti Panchayat Board, Salem.

* 189 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether representations have been received from the residents of Kalappanaickenpatti Panchayat Board in Salem district praying for the abolition of that panchayat board;

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[a] Printed as Appendix III on pages 498–500 *infra*.

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(*b*) if so, when and what action has been taken thereon; and

(*c*) whether a copy of the order passed in the matter will be placed on the table?

A.—(*a*) Yes, by the Inspector of Municipal Councils and Local Boards.

(*b*) On 21st May 1936, the Inspector of Municipal Councils and Local Boards has called for a report from the District Panchayat Officer concerned.

(*c*) Orders have not yet been passed by the Inspector to whom the power to abolish panchayat boards has been delegated.

Payment of personal allowances to teachers as per G.O. No. 5025, L. & M., dated 20th November 1934.

* 190 *Q.*—Mr. G. Simhachalam Pantulu: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) how many municipalities and district boards in the Presidency recommended personal allowances to the teachers working in their high schools as per G.O. No. 5025, L. & M., dated 20th November 1934;

(*b*) which are the municipalities and district boards that did not reply to the Government Order above mentioned;

(*c*) what action the Government propose to take against such municipalities and district boards for their inaction regarding the same; and

(*d*) what the Government propose to do in the case of those municipalities and district boards who do not recommend personal allowance in full or in part to secondary school teachers under their management?

A.—(*a*) & (*b*) All the district boards and municipal councils maintaining secondary schools except Vizianagram and Nellore Municipal Councils.

(*c*) The attention of the hon. Member is invited to the answer to clause (*f*) of question No. 770 delivered on 25th February 1936.

(*d*) The grant of personal pay is left to the discretion of local bodies.

Representations from elementary school teachers under district boards for raising their pay to the old level.

* 191 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether representations have been received from certain teachers of elementary schools under the district boards praying for the increase of their pay to the old level since their pay has been reduced to a lower maximum in the new scale; and

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(b) if so, from which of the districts such representations have been received and what orders have been passed thereon?

A.—(a) & (b) Representations from the teachers of elementary schools under several district boards were received by the Government in regard to the fixation of their pay in the revised scales. Government have passed orders on the individual cases referred to them by the boards. The Government have also issued general instructions in the matter. No useful purpose will be served by the preparation of a statement of representations and by placing it and the orders passed thereon on the table.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Minister whether the Government have not passed orders on the petitions put in by individual teachers? "

The Hon. the RAJA OF BOBBILI:—" There are a large number of cases where individual teachers have put in petitions to Government, and wherever Government are satisfied that real hardship is being caused, they have passed orders to remove the hardship. I may also state for the information of the House that it is not quite correct to say that salaries have been reduced as a result of the new scale. There is no case in which the salary has been reduced on account of the new scale. Salaries have been reduced because some of the district boards have been compelled to impose a general cut to balance their budgets."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know whether it is not a fact that in certain cases, even though no general cut has been imposed, the salaries have been reduced to a lower maximum? "

The Hon. the RAJA OF BOBBILI:—" The hon. Member is probably referring to a certain case where the executive authorities have placed particular teachers in a lower scale. According to the rules, no case has come to my notice where salaries have been actually reduced."

Mr. T. S. RAMASWAMI AYYAR:—" In view of the fact that cut in salaries can be considered only as an emergency measure, may I ask whether it is not improper that persons should be deprived of part of their pay even after the emergency is over and the temporary cut should be continued as a permanent measure? "

The Hon. the RAJA OF BOBBILI:—" I entirely agree with my hon. Friend. That is the policy of the Government. They have sanctioned this step only as a temporary measure."

Police

Number of crimes reported in Salem district during 1935.

* 192 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

(a) what the number is of cases reported in each variety in each of the police stations in Salem district during the year 1935;

(b) of these, on how many action was taken, and how many simply referred without taking the matter to court; and

(c) of those taken to court, how many ended in conviction and how many in acquittal?

A.—(a) *to* (c) The Government have obtained statements from each police station and the hon. Member has been invited to examine them *in* the Secretariat.

Mr. BASHEER AHMED SAYEED:—"May I ask the Hon. the Home Member whether the Government themselves have examined these cases, and if so, to state what conclusion, if any, they have arrived at?"

The Hon. Mr. C. F. BRACKENBURY:—"The statements have been examined and no adverse conclusion has been drawn from them.

Religious Disputes

Alleged molestation of Mr. Ambu Achari, by the Brahmans and Nairs of Ajanur village, South Kanara.

* 193 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Home Member be pleased to state—

(a) whether the Government have received any representation from Mr. Ambu Achari, son of Kannan Achariyar of Puthia Kandam, Ajanur village, P.O. Kanhagad, Kasaragod taluk, South Kanara district, stating that some Brahmans and Nairs of the locality were threatening the Viswa-Brahmans not to wear their usual sacred threads and not to perform their religious rites according to vedic injunctions;

(b) whether it is a fact that the said gentleman has submitted such representations to the local authorities concerned praying for protection for the ordinary civil rights of the community through potails (village officers);

(c) whether the local Police, including the Tahsildar and the Divisional Officer, have taken any notice of the affair; and

(d) what orders the Government have passed on this representation?

A.—(a) No.

(b) *&* (c) The Government have no information.

(d) Does not arise.

Irrigation

Action taken on the resolutions passed by the Satiatope Anicut Mirasidars' Association at their meeting held on 10th May 1936.

* 194 *Q.*—Mr. BASHEER AHMED SAYEED: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have received and acknowledged receipt of a copy of the resolution passed hy the Satiatope Anicut Mirasidars' Association at their meeting held on the 10th May 1936 at Porto Novo under the presidency of Mr. Basheer Ahmed Sayeed;

(b) whether the Government have considered each one of the resolutions communicated to them and passed orders thereon; and

(c) if so, whether a copy of the resolutions with the orders passed thereon will be placed on the table of the House?

A.—(*a*), (*b*) & (*c*) The Government received a copy of the resolutions but no action was taken on them with reference to rule 5 of the rules for submission of petitions to the Government of Fort St. George, extracted below:—

"Resolutions submitted by Associations and other similar bodies will receive no attention; any such body wishing action to be taken on its representation should submit them in the form of a memorial stating the grounds and circumstances of each case."

Mr. BASHEER AHMED SAYEED:—"May I ask the Hon. the Revenue Member whether the Government have taken any action irrespective of the resolutions?"

The Hon. Sir CHARLES SOUTER:—"Not that I am aware of, Sir."

Mr. BASHEER AHMED SAYEED:—"May I ask whether the Government will consider the question of redressing the grievances of the members of this association?"

The Hon. Sir CHARLES SOUTER:—"If, Sir, the members of the association will follow the rule which is there, the Government will take due notice of their resolutions."

Mr. BASHEER AHMED SAYEED:—"May I know, Sir, whether the members of the association or the secretary has been informed that the resolutions will not be considered unless they are couched in the form of a memorial?"

The Hon. Sir CHARLES SOUTER:—"Notice, Sir."

Collection of fees from visitors to the park and the dam at the Cauvery-Mettur Project.

* 195 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that fees are being collected from those who enter the park and the dam at Cauvery-Mettur Project;

(*b*) if so, at what rate or rates;

(*c*) whether a copy of the order issued with regard to the levy of these fees will be placed on the table;

(*d*) whether these fees are collected departmentally or whether the right of such collections is auctioned; and

(*e*) what the income derived or proposed to be derived by such a levy is?

A.—(*a*) to (*d*) A copy [a] of G.O. No. 832 I., dated 30th March 1936, authorizing the levy of fees and a copy of the rules approved in that Government Order are placed on the table of the House.

(*e*) Government have no information.

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[a] Printed as Appendix IV on pages 500-501 infra.

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Mr. K. A. NACHIYAPPA GOUNDER:—"May I know what the reasons were that led the Government to levy this tax?"

The Hon. Sir CHARLES SOUTER:—"In order to keep, in some cases, undesirable persons, and in other cases, too many people from entering upon the park and the dam which might in some cases cause harm to the dam and probably more harm to people who want to go there."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know if the Hon. Member is aware that a similar dam and park are maintained by the Mysore Government and no charge is made for entering the same?"

The Hon. Sir CHARLES SOUTER:—"I am not aware of that. What I do know is that in the Krishnarajasagara they charge for a motor car eight annas and we are charging only six annas."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask whether the Government are aware that these regulations and the levy of the fees cause a great hardship to the people who visit it?"

The Hon. Sir CHARLES SOUTER:—"I am not aware of any such hardship. The maximum charged is one anna per person."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"Are the Government charging anything from persons going without cars?"

The Hon. Sir CHARLES SOUTER:—"One anna is the maximum."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"Are the Government aware that in Mysore they do not charge anything?"

The Hon. Sir CHARLES SOUTER:—"I am not aware of that."

Buildings remaining vacant in the Cauvery-Mettur area.

* 196 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) how many buildings are yet unoccupied at Cauvery-Mettur proper and at Salem camp;

(*b*) what the Government propose to do with those buildings;

(*c*) what the present book value of those buildings is and whether they are of strong structure; and

(*d*) what the cost incurred is for maintaining and watching them during 1935–36?

A.—(*a*), (*b*), (*c*) & (*d*) The attention of the hon. Member is invited to the answers to questions Nos. 860 and 861, dated 29th February 1936. The Government have no further information to give.

Water charges for the supply of drinking water in the Cauvery-Mettur area.

* 197 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the rates levied are for the connexions of drinking-water supply to the various residential quarters and public offices at Cauvery-Mettur;

(*b*) whether any concession or free use is allowed in respect of any of the quarters;

(*c*) if so, on what principles and to whom; and

(*d*) by whom the drinking-water supply scheme is being managed or supervised?

A.—(*a*), (*b*) & (*c*) The attention of the hon. Member is invited to the answer to question No. 750, dated 25th February 1936. Since then gazetted officers of the Electricity Department drawing Rs. 500 and less, engaged on construction works, have been allowed a free supply of water.

(*d*) By the Public Works Department of Government.

Progress of the Appapuram project.

* 198 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the stage in which the Appapuram project in Bapatla taluk is; and

(*b*) the villages to be irrigated and to what extent each village will be irrigated by the project?

A.—(*a*) The project was sanctioned by Government in April 1936 and a sum of Rs. 1·00 lakh has been provided for expenditure during the current year.

(*b*) Villagewar figures are not available.

Irrigation schemes for Vinukonda and Palnad taluks.

* 199 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Member for Revenue be pleased to state whether there are any schemes pending before the Government in Vinukonda and Palnad taluks and, if so, in what stage the matter is at present?

A.—No schemes are pending with Government.

Mr. P. V. Krishnayya Choudari:—" May I ask whether during the recent tour of the Hon. the Revenue Member to Guntur he promised to consider a project for Vinukonda and Palnad taluks which was rejected once considering the locality, and if so, why they have not yet taken it up? "

The Hon. Sir Charles Souter:—" I think, Sir, the hon. Member is rather mistaken. What I understood was that this project was under consideration then by the local officers but nothing has come up to Government about it. If any such scheme comes up, of course we will consider it."

Land Revenue Administration

Proposals for the revision of the Famine Code to afford relief to goldsmiths.

* 200 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether there are any proposals under contemplation to revise the Famine Code so that relief may be given out of it to the artisan classes due to the unemployment created by the export of gold; and

(*b*) when the Amending Bill is likely to come up before the Legislative Council?

A.—(*a*) & (*b*) No such proposals are at present under the consideration of the Government.

Resumption of village service inams in the Punganur Zamindari.

* 201 *Q.*—Mr. C. R. PARTHASARATHI AYYANGAR: Will the Hon. the Member for Revenue be pleased to furnish the information about the resumption of village service inams in the Punganur Zamindari under the following heads:—

(*a*) the nature of the inam;

(*b*) the extent of the lands originally granted for the service;

(*c*) when the inams were enfranchised;

(*d*) the amount of assessment in each case;

(*e*) the date, year, and the reason why they were so resumed by the Government;

(*f*) the amounts collected on each of the inams up to date;

(*g*) how the amounts were utilized and for what purpose; and

(*h*) whether the public services are still being performed?

A.—(*a*) *to* (*h*) *The Government have not the information.*

The Government consider that the time and labour involved in compiling the information will be out of proportion to any useful public purpose that might be served.

Extent of cultivable waste lands in Salem district.

* 202 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the extent is of cultivable waste lands in each of the taluks in Salem district as per latest figures of the revenue accounts;

(*b*) what the extent is of such lands in each district; and

(*c*) of these, how much in each district is reserved for common purposes?

A.—(*a*) & (*b*) Figures for each taluk are not available. For the total extent in Salem district and in the other districts of the Presidency the hon. Member is referred to column 6 of Appendix II on page 10 of the Season and Crop Report of the Madras Presidency for the agricultural year 1934–35 (fasli 1344).

(*c*) The Government have no information.

Public Service

Preparation by the Madras Public Services Commission of the list of candidates eligible to hold ministerial posts.

* 203 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether selections by the Madras Public Services Commission for the ministerial posts of all the departments are held together and one list is maintained or whether they are held separately and separate lists are maintained by each department;

(*b*) if there is only one list of persons to be appointed for the ministerial posts in all the departments in the district, by whom such a list is kept or maintained; and

(*c*) what difficulties have been experienced in maintaining separate lists for such posts by the respective departmental heads?

A.—(*a*) & (*b*) Selection for ministerial posts under the administrative control of this Government is made by the Madras Public Service Commission separately for (1) Madras Secretariat and (2) for all other offices in the city except the High Court and for the offices in the mufassal districts except the civil courts. It is proposed to ask the Commission to select candidates separately for ministerial appointments in all the offices in the Judicial Department except the High Court.

Lists are now maintained—

(1) for the Secretariat, by the Chief Secretary to Government, and

(2) for all other departments, by the Collector of the district.

(*c*) Lists have never been maintained by the departmental heads. The maintenance and working of the lists by Collectors is administratively more convenient, as the allotment of candidates to mufassal districts by the heads of the respective departments whose headquarters are at Madras would cause delay.

Electricity

Proposals for the constitution of an advisory board for electricity.

* 204 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Law Member be pleased to state whether it is the intention of the Government to constitute any advisory board for electricity?

A.—The Committee appointed by Government to consider various questions connected with the supply of electricity has recommended that an Advisory Board for Electricity should be

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Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know how long the Government will take to pass orders?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"We are just now considering it. I cannot specify a date within which the consideration will be over."

Orders of Government on the findings of the Electricity Committee.

* 205 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state whether the Government have passed orders on the findings of the Electricity Committee constituted by the Government and, if so, what orders they have passed?

A.—The recommendations are under consideration and no orders have yet been passed.

Progress of the hydro-electric works at the Mukurti dam.

* 206 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) at what stage the works of the Mukurti dam in the Nilgiris are;

(*b*) when the dam is likely to be completed and what the extra quantity is of energy that is expected to be produced as a result of this construction; and

(*c*) what the percentage is of income expected to be realized on the outlay?

A.—(*a*) About 45 per cent of the work has been completed.

(*b*) About December 1937. About 12½ million extra units can be generated with the existing plant at the power-house and about 60 million units if additional generating sets are installed as is proposed.

(*c*) It would be meaningless to work out a percentage of return on the cost of dam alone particularly as in part it is a form of insurance against a season of low supply in the river. In order to take full advantage of the storage of the reservoir extra generating sets have to be installed and additional distribution lines, etc., put up. Taking the expenditure on all these into consideration, a minimum return of over 6 per cent net is expected in about eight years.

Settlement of the dispute regarding the electrification of the Erode municipal area.

* 207 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) whether the controversy with regard to the electrifying of the Erode municipal area has been settled and if so, how and when; and

(*b*) if not, at what stage it is and what the points at issue are and on what terms it is likely to be settled?

A.—(*a*) & (*b*) In October 1935 the Municipal Council, Erode, requested that Government might purchase on behalf of the Council the rights for the supply of electricity in the Erode Municipal area or that Government might grant a licence to the Municipality for the supply of energy in all the areas in the Municipality outside the streets included in the list of compulsory works mentioned in the Salem and Erode Electric Licence, the electric power necessary being supplied in bulk direct by Government. *A copy* [a] *of G.O. No. 421 W., dated 17th February 1936,* passing orders on the requests is appended. The Government have no further information on the subject.

Proposals for the reduction of the rate of charges for electricity supplied in Salem and Erode.

* 208 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) what the quantity is of electric current consumed in each of the municipal areas of Salem and Erode in each month since January 1936 and what it is during the corresponding months in the years 1935 and 1934; and

(*b*) whether there are any proposals to reduce the rates of current in these areas and if so, what they are and how much?

A.—(*a*) A statement [b] giving the information required is attached.

(*b*) Yes. The licensees under the Salem-Erode Electric Licence (who take a bulk supply from Government) have proposed to enter into a fresh power agreement with the Government according to which the Standard Pykara rates, which are lower than the existing rates of supply under the above licence, will have to he adopted by the licensees. A draft of the power agreement was published in the *Fort St. George Gazette*, dated the 30th June 1936.

Factories

Extension of the operation of the Indian Factories Act to private petty artisan workshops.

* 209 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. Law Member be pleased to state—

(*a*) whether the Government have further considered the question of bringing the private petty artisan workshops in this Presidency under the legislation of the Indian Factories Act by means of a notification in the *Fort St. George Gazette* after the statement of the then Home Member on this subject on the floor of this House on 31st October 1932 in connexion with the debate of the Artisans Bill;

[a] Printed as Appendix V on page 502 infra.

(b) whether the Government have, in the light of the resolutions adopted in the International Labour Conference, examined the desirability of declaring these artisans' workshops where work in iron, steel, copper, brass, bell-metal, bronze, zinc, tin, aluminium, silver, gold and other metals and wood, ivory, stone-carving and mounting of precious stones is carried on and where ten persons in one day a year are employed, to be factories, within the meaning of the Indian Factories Act, prohibiting child labour therein; and

(c) if so, what steps the Government are taking or propose to take in this regard, in view of public opinion on this subject?

A.—(a) & (b) No.

(c) Does not arise.

Prisons and Prisoners

Appointment of members of the Viswa-Brahmana community as Non-official visitors to jails.

* 210 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Law Member be pleased to state—

(a) how many applications were received by the Government from the members of the Viswa-Brahmana community since 1931 requesting to include them in the list of Non-official visitors of jails; and

(b) how many of them were appointed as such?

A.—(a) & (b) The Government consider that the time and labour involved in compiling the information will be out of proportion to any useful public purpose that might be served.

UNSTARRED QUESTION

Public Works

Wiring contract for electric installation of the public offices in South Kanara.

211 *Q.*—Rao Sahib N. SIVA RAJ: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether tenders were called for wiring for electric lights and fans in the Collector's Office, the District Court, the Sub-Court and the Munsif's Court at Mangalore, South Kanara district;

(b) if so, whether the lowest tender was accepted; if not, why not;

(c) whether the accepted tenderer is an electrician; if not, whether he has employed any qualified electrician;

(d) what is the professional status of the tenderer;

(e) what is the estimated cost for the above works;

(f) whether the works have been satisfactorily done;

(g) whether the works have been completed; if not, at what stage the works are now; and

(h) when the work was taken up?

A.—(a) *to* (d) & (f) *to* (h) The Government have no information.

(e) Rs. 6,580.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

11-30 a.m. II.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT 1908, AND TO AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934, FOR CERTAIN PURPOSES (BILL No. 11 OF 1936)—*cont.*

* The Hon. the PRESIDENT:—" The other day when the House rose we were discussing the amendment moved by Sir A. P. Patro that the consideration of the Inams Bill be adjourned *sine die.* Now further discussion will continue."

* Mr. T. C. SRINIVASA AYYANGAR:—" I echo the sentiments of the Hon. Sir Charles Souter that this Bill has been coming up too frequently and the arguments are repeated so often, even *ad nauseum.* I repeat it as he has given also the same reasons and the same arguments and we feel so dissatisfied with the method and the manner in which this legislation was undertaken and persisted, that we are forced to repeat the same arguments *ad nauseum* over and over again. It is not a pleasant thing for one to say the same thing. It would be a more pleasant thing if new arguments are put forward and new materials to support the provisions of the Bill are placed before the Council. I am in entire accord with the Hon. the Revenue Member in his statement that the Bill is a very important one and it affects a large population, whether of tenants or equally large body of inamdars. It upsets a large number of accepted legal notions and seriously interferes with vested rights. It is likely to produce consequences which will be immeasurable. I may add one thing upon which he may not perhaps agree with me, viz., that the manner and method in which this legislation originated and began again and since continued are so peculiar and unusual which a legislation on a subject of first-class magnitude of this kind, calls for. Even at the risk of repeating for a third time, I beg to place before the House a few facts. Sir Archibald Campbell when he introduced the Bill in January 1932 (Bill No. 12 of 1931) gave the history of the said Bill which showed that for several years the Government were anxiously considering the need for introducing amendments into the existing Act, so that the working of the Act might be facilitated and difficulties encountered might be overcome. Committees were constituted by successive Law Members and finally a big departmental committee was sitting for some years. They carefully considered section by section, scrutinised the decisions of courts on the existing Act and the subject of the law of landlord and tenant and examined the defects found to exist and considered the points for amending legislation. Eventually in the year 1928 a fresh Bill was drafted. On the basis of that Bill, Bill No. 12 of 1931 was framed. It was introduced in the Council in January 1932. Sir Archibald Campbell made it quite plain that the object was not to alter the existing law either by introducing new rights or by taking away the existing rights or adding to the rights of the landholders or adding to the rights of the ryots. It was merely

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for the purpose of facilitating the working of the Act in all harmonious ways. In that view the Bill was framed and it went before the Council. I will not tire the Council by going into all the provisions of it, except inviting its attention to the relevant provisions of that Bill regarding inams. All inams did not come under the purview of section 3 of the existing Act. As we all know three types were contemplated and one only came under the Act. The other two sought to be brought under the new Bill. Even in respect of the one class of inams that were brought in under the Act, an exception was made in their favour relating to the merger of the two varams. The Bill improved the language of the definition by bringing in all the inams within the Bill but at the same time safeguarded the existing rights of the inamdars—all the rights which had vested or to vest in the inamdars—under the comprehensive definition of 'Private land.'

"That was the scope of the Bill. As I do not desire to revert to that subject again in the course of this speech, I wish to impress upon the House what it was exactly that the Government Bill which was the result of investigation for a decade and more aimed. That was not a Bill to alter the existing law relating to inams. The change sought to be made was merely to widen the definition, improve the language and safeguard the existing rights. That Bill went before the Select Committee of this very House. Even with reference to the very modest alterations contained in the Bill which did not seriously interfere with the rights of the inamdars, the then Chief Minister—the Hon. Diwan Bahadur Muniswami Nayudu—told the Committee on a day during the Easter sittings of the Select Committee that changes in the matter of inams would have to be considered, that the Legal Adviser to the Government should also be present there and therefore the consideration of the Bill should be adjourned. It was adjourned and at an adjourned sitting of the committee the then Hon. Revenue Member, the Chief Minister and other Members of the Committee were present; they discussed the matter and unanimously came to the conclusion that even the modest alterations in the Bill regarding inams were not called for and that the original Act might be left as it was except changes in drafting. This conclusion was reached in July 1932. The Bill in other respects was considered by the Select Committee and a report was made and it was presented to the House in January 1933. No dissentient minutes were made by the mover or the Chief Minister. The mover of the Bill Sir Archibald Campbell repeated what he mentioned at the time of the introduction of the Bill, viz., that the Bill was merely to rectify all admitted defects and obvious mistakes and not to add to the rights of the landholders or of the ryots or to take away the rights of the tenants. Then the zamindars who were particularly affected wanted that the further consideration of the Bill must be postponed and eventually in October 1933 the matter came up before the House. I believe my Friend Mr. Arasu brought forward an amendment questioning the framing of the definition of the inam. Both the

Hon. the Revenue Member as well as my hon. Friend Mr. K. R. Venkatarama Ayyar got up and assured him and the House that no serious alteration was intended. It was merely an alteration of the definition in order to improve the language and to avoid a possible misconception in the definition in the original Act and there was no substantial alteration at all. I merely mention this to show that even then the idea was not that the condition of the inam ryots was in dire distress, in need of immediate relief or that the relief was by simply taking away the rights of the inamdars and vesting them in the ryots or that any such relief should be given by legislation without following the ordinary procedure of investigation by Government or of calling for information or calling for statistics.

" Before I proceed further, I desire to draw the attention of the House to the actual language used at the time of the introduction of the Bill by Sir Archibald Campbell and later on when he accepted the amendment of my Hon. Friend Mr. Muniswami Nayudu. This is what Sir Archibald Campbell said when he originally introduced the Bill:—

'The Bill only aims at removing certain difficulties which have been found in the working of the existing Act. It does not aim at conferring any new rights or other powers either upon the zamindars or ryots. It does not aim at placing any disability on either party but to improve or rather to facilitate the carrying out of the various principles upon which the Act of 1908 is based. I hope the Members of the House will regard this Bill in that light.'

" Such being the case, Sir, look at what followed. On the 2nd November when my Hon. Friend, Mr. Muniswami Nayudu, moved his amendment the Government accepted it and this is what Sir Archibald Campbell said:—

'Government have been receiving from time to time certain requests that this should be done and after a careful consideration have decided that the time has come when they should accept this proposal. The position is not the same as it was in 1908. I do not wish to enter upon the legal aspect of the question as to the extent to which it will cause expropriation of the existing rights which have hitherto been recognized—mark the words " rights which have hitherto been recognized." There is no doubt that the change must make a difference in the relations between the inamdars in the inam villages and their tenants.'

" Now I ask, what was the occasion for the sudden change in the attitude of Government from one of no need for change to one of this revolutionary change? I ask my hon. Friend the Revenue Member when he discovered that the position of the inam ryots was in dire need of improvement whose position, he mentioned the other day, was definitely worse than the position of any other class of ryots. Was the discovery before 2nd November or after 2nd November 1933? If such discovery was made with regard to the position of the tenants, was there any attempt to find out the economic position of the inamdars? Are not the inamdars also the object of solicitude before any legislation, which introduces fundamental changes interfering with the rights of the inamdars, was introduced? Let nobody run away with the impression that because some of us are inamdars we have no sympathy with

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the ryots or that we object to the improvement of their condition. By all legitimate means help the tenants. But is it to be by the deprivation as proposed of the rights of inamdars which they sorely need and without which their economic condition would become precarious? Now on the statement of my Hon. Friend Sir Charles Souter, I find that a scion of an illustrious aristocratic family went to the extent of saying that he was glad to learn the fact that the condition of the inam tenants was far worse than the condition of other tenants. It appeared to me that he drew therefrom the conclusion in favour of the zamin ryots. Let him have that fancy I am not going to disturb him in any such fancy. Though he is not here now present I should like to congratulate him on the manner of his speech though not on the matter of it.

"Serious discussions arose after the acceptance of the amendment 11-45 a.m. of Mr. Muniswami Nayudu by the Hon. the Revenue Member. That was followed by the acceptance by the Revenue Member of another amendment which directly interfered with undoubted vested rights and the cryptic answer which Sir Archibald Campbell gave when he accepted it was this:

'I understand that this is an amendment merely to carry out a decision which was arrived at in this House yesterday as a result of an agreement between the representatives of the ryots and those of the landholders. For that reason the Government accept the amendment.'

"Who were the representative of the inamdars who joined in the discussion and agreed to the amendment? I believe it was the Hon. the Raja of Bobbili, the Chief Minister, that was taken to be the inamdar's representative. What a strange representation? Apparently the Hon. the Raja of Bobbili has also a few villages and that should have been taken to be sufficient to make him represent inamdars. And the hon. Member Diwan Bahadur Muniswami Nayudu represented the ryots. The Hon. Sir Archibald Campbell thought (I think—mistook) that both sides were agreed on the amendment, that the road was right royally clear for him and that the Government might very well accept the amendment. Sir, now I wish that all the inamdars in this Presidency were as well-to-do and had other property in the shape of zamin villages as the Hon. the Raja of Bobbili. There are some zamindars in our part of the country who are holders of inam villages either as trustees or occasionally as owners. These are exceptions. The vast majority of ordinary inamdars are poor and own very small extents of lands."

Sriman M. G. PATNAIK Mahasayo:—"May I remind the hon. Member that the Advocate-General also was there?"

* Mr. T. C. SRINIVASA AYYANGAR:—"I want to know what this amphibious officer who is an official for one purpose and a non-official for another can represent. Did he represent the inam tenant or the inamdar or the Government? Could he frame the policy or could

he only clothe the policy of the Government in proper legal language? I hope the hon. the Expert Member will throw a flood of light on this matter in due course.

" In view of the vast interests involved, the very large population of inamdars who would be affected, and also in view of the fact that for over a century, by the normal operation of the laws, all sorts of alienations and successive partitions which inheritances opened have so much reduced the size of the inamdars' holdings, I ask, is it proper, that the rights of this large body of poor proprietors are injured and that the so-called benefits of the zamindari system thrust upon the inamdars? As early as the nineties of the last century, one of the then eminent officers of the Government was deputed to make a report on the progress achieved during the preceding 40 years. The report is known as Mr. Srinivasaraghava Ayyangar's Forty Years Memorandum. He says therein—

'The next class of landowners are the inamdars who number 458,659 and hold between them 8·29 million acres or 19 acres each on the average. Out of this area little more than three million acres are comprised in entire inam villages . . . The position of these classes does not at any rate differ materially from that of the ryotwari land pattadars. The holders of the whole inam villages were in an impoverished condition, their property having got subdivided into minute portions.'

" A great deal of time has since elapsed and what would be the position of the inamdars now after the said process of subdivision has had time for further operation. Such being the case and in direct opposition to the policy, expressed by the mover, at the introduction of the Bill and the presentation of the Select Committee report, one fine morning, all of a sudden without any data, any enquiry and without calling for public opinion or circulating the proposals, if any, of the Government, the Government accepted an amendment moved by a private member though influential, introducing vast changes. One of the European members realizing the enormous change a few days later—I believe it was Mr. Langley—made the following remarks:—

'Mr. President, Sir, the group that I represent in this House do not feel at all easy on the subject of this proposal. In the ordinary way we should not have had any particular interest in this particular Bill. We naturally meet and consider each Bill which arises and decide what action if any, we should take on such a Bill. We duly considered this particular Bill and came to the conclusion that, although it deals with property yet we have the assurance from the original statement of the Hon. the Revenue Member and others concerned that there will be no disturbance of property rights in connexion with this Bill. And we therefore decided not to take any active part in it. But the procedure since this Bill started has been so difficult to follow . . .'

" After dealing with the acoustic properties of the Chamber the hon. Member went on:—

'That, I venture to think, is an entirely wrong procedure. In regard to a Bill of this nature, when especially a principle in the first instance has been laid down, a principle of no expropriation whatsoever and no interference with property rights, we find in the course of casual amendments, which we cannot

hear at all, so much revolutionary change in the Bill has taken place. I refer particularly to the change as regards the rights of inamdars. It seems to me that the procedure is absolutely wrong and one against which every private member howsoever insignificant a body of Members he may belong to, should protest very strongly.'

"The amendment having been accepted by the Government it is needless to say the Bill was passed by the House. We know the subsequent history of it and I do not propose to detain the House long by referring to it. The Bill was considered by His Excellency the Governor as a very complex one, new and substantial matter having been introduced into it by amendments. It was returned to the Council. The amended provisions regarding the inams were withdrawn, they being fit subject for fresh legislation. His Excellency the Governor never directed that the provisions would have to be taken bodily out of that Bill and immediately put into another Bill and rushed through the Council, without any investigation. The fresh Bill came in at the next sittings of the Council. I am not saying that a particular time should elapse; there is no virtue in the mere lapse of time; the interval is of value only as a means of enabling necessary investigations to be made. Assuming that the tenants' interests deserve to be considered as a very important matter there is also another side to it, and that is the interests of the inamdars. They should both be considered. Now from generation to generation, for over a century under the British Government the inamdars have been enjoying certain rights. At the same time, people have invested large sums of money in purchasing the lands of inamdars and getting mortgages of them and acquired rights in various other ways. All these transactions were under law and protected by the existing law. Therefore investigation is necessary and the parties concerned must have an opportunity of placing their view points before the Government. It is not merely an opportunity for parties to come forward if they care to make representations, regarding the Bill framed in this way. Such representations they have been making, but that would not do. The proposals by Government for legislation must be the result of investigation, and upon sufficient data concerning both the interests. Any proposals for the improvement of the lot of the tenants have a necessary relation to that of the inamdars. Where there is a conflict of interests, divergence of view points, careful scrutiny as to what would be the best under the circumstances in the interests of both and what would be least injurious to the vested rights of either must be made. But that was not done. On the other hand the provisions which were in the previous Bill were simply taken and reframed into a new Bill, without much loss of time and straight away introduced into the Council. That the Government had not much material either before them was obvious from the replies given in November 1933 to a question put by Mr. T. S. Ramaswami Ayyar. The matter has been referred to so often

in this Council on previous occasions that I do not think it is necessary for me to read either the terms of the question or the unqualified reply which the Government gave to the effect that the Government was not in possession of information regarding any of the several points. The information wanted is important in every way. The question was No. 470 put and answered as above on 13th November 1933. That Bill underwent alterations in the Select Committee; the alterations were more unfavourable to the inamdars. Eventually it was passed by the Council. Then His Excellency the Viceroy vetoed this second Bill thus passed by the Council on the grounds which have been referred to by the Hon. the Revenue Member. Again, Sir, the Government, having merely added a provision for compensation—a nominal compensation—adopted the old Bill and went on steadily in it as though nothing had happened which necessitated an alteration of the course. At the time the Select Committee was sitting I remember having asked for information upon a variety of matters relevant to the considerations arising from the Bill. I desired information on these subjects (1) the number of whole inam villages in the Presidency which have come within the operation of the existing Estates Land Act already and their total extent, (2) the number of whole inam villages to which the Act does not now apply and their total extent, (2-a) how many of the villages of this latter category continue undivided or unpartitioned and are held by single inamdars and their extent, (2-b) how many of the villages are held by the descendants of the original grantees and their extent, (2-c) how many villages have been divided and subdivided, and alienated and subdivided and what would be the average extent of the subdivisions, the total number of inamdars holding divided and separate interests, (2-d) and lastly the total ryot population in the inam villages of the various categories mentioned. Nobody will say that this information will not throw a great deal of light on the matter, but I was given a reply that information respecting these subjects was not readily available and could not be furnished, at any rate, by the time the Select Committee met. I therefore do not think, Sir, it would be a violent inference to draw from this that the Government never cared to investigate the matter by calling for a report from revenue officers in the Presidency. This is a matter which affects large interests in the Presidency, practically spread over the whole of the Presidency in almost all the districts. It is abnormal that in a matter like this there should have been no preliminary investigation at all before proceeding with the Bill.

" Sir, I support the adjournment motion not because there is a virtue in putting off the consideration of this Bill from 1936 to 1937 or 1938 but because the matter which is admittedly so important has been treated all through in what I cannot help calling a perfunctory manner. For this reason I heartily support the motion of Sir Parasuramdoss Patro and the Government would be doing the right thing if

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they put off the consideration of the Bill and take advantage of the situation to collect all available information regarding the present condition of the inams, their tenures, the minutely divided condition of the inam holdings, the condition of the inamdars and their ryots, to hear the representations of both parties, to weigh the materials impartially and then to frame appropriate proposals for legislation instead of rushing on with the Bill to which the Government had committed themselves without investigation and data, merely on the assumption that the condition of inam tenants is worse than that of others and that that would justify the deprivation of the rights of equally poor inamdars. Let us take a hypothetical case for elucidation. Suppose the zamindars have been subjected to the ordinary laws of partition, alienation and other similar incidents, what would be the condition of the 12
property possessed to-day by the zamindars. There would be innumer- noon
able parcels of land held by hundreds of thousands of people. Now for over 125 years that has been the course of the inam villages. Surely that deserves consideration and they are entitled to as much consideration and protection as tenants. Then the Bill which is offered affects the substantive rights of inamdars, affects the procedure to be followed and limits the evidence. The notification of His Excellency the Viceroy's veto, insists on the rights of the inamdars being looked into as per existing law, and equitable compensation awarded. The original proposal of the Government was for one year's rent as compensation, the Select Committee considered it inadequate but only fixed a maximum not more than two and a half times the rent. What is the result? One thing is certain and definite. There is a bone of contention and a potent cause of quarrel. In the case of dissatisfaction by either the tenant or the inamdar, Collector should decide. It is subject to an appeal to the District Collector. But what is certainly offered is litigation. There should be a litigation first before a special tribunal. A special tribunal no doubt! The personnel of the tribunal is unexceptional; it will be a great tribunal. But would there be no cost, or expense to the parties? Can they bear it? Would the cost and trouble be commensurate with the value of the subject matter? Costs mean Court-fees, fees to lawyers, expense of travel, etc. Before the inamdar can think of claiming compensation, he will have first of all to get his rights established to the kudivaram whether or not there is dispute about it, whether or not there be any tenant on the land and whether or not he offers to take it. The inamdar must get his right established on the off-chance that the man on the property may offer the compensation amount; if he does not agree to give compensation, he can be evicted; but the property undergoes a change nevertheless, from one kind of property till now having all the legal incident attached to it, into another kind of property with different legal incidents. Is the inamdar who should be given equitable compensation really compensated or really punished?

"Now, what would be the cost of obtaining this compensation? Is it seriously meant that he is compensated thereby? If on data gathered and after investigation, proposals are framed with the idea of finding out the difficulties of the inamdars and of benefiting the ryots, surely better proposals can be framed.

"The present Bill has grown out of the previous Bill in which this conception of compensation did not exist and which proceeded on an assumption that the occupier of the land had the *prima facie* right to the kudivaram and the inamdars' right to the kudivaram was exceptional. That Bill itself grew out of the still earlier Bill of 1931 that the inamdars' right to kudivaram wherever existed should be protected. So, it is wrong to say that the three Bills are of identical description. The original Bill of 1931 of Sir Archibald Campbell introduced in the year 1932 was a Bill merely to rectify defects, not to disturb rights. The next Bill No. 10 of 1934 was for the obvious purpose of protecting the rights of the tenants which was considered to have been mistakenly or fraudulently done away with by rapacious inamdars. To support this view, the author of the second Bill went back to Manu. Therefore, the second Bill went on the idea that, unless the inamdar happened to be also the peasant, he has no business to have any kudivaram interest. The only exceptions that were made were the ancient mamul *pannai* or *kambattam* lands of which there cannot be much in inam villages and the provision for enjoyment for 12 years of the lands whose kudivaram was acquired for valuable consideration by inamdars. We know that in the British System of Jurisprudence, even wrongful enjoyment for 12 years, creates a right (prescriptive right). A new conception is introduced here. A man having the right recognized by the court, and recognized by law undoubtedly, will lose his right after enjoyment on the 12th year. Certainly this original idea is a thing which historians of juristic ideas will take proper note of. But what is the value of it? In all legislations, in major enactments we find that even in case of fraudulent transfers, honest *bona fide* purchasers for value, are protected under certain circumstances. Can there be greater, *bona fide* and honest acquirers of rights than people who, under the express provision of law, have acquired rights? Now this cannot be viewed as a Bill of only a few clauses, but it is a Bill which seriously affects rights, creates new procedures and new rules of evidence. The matter is sufficiently important even from the point of view of the Bill itself, much more so from the point of view of the class of people whose economic condition would be endangered or improved. The very lack of investigation necessitates the proper method to be adopted and the adjournment of this question finally."

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, I do not deal with all the points raised during the debate, but only with the fundamental principles underlying land tenure in India. I do not wish to enunciate these principles in any great detail but I shall refer to

certain authorities which go to show that the peasant is the proprietor of the soil, that the State is only the melvaramdar, a co-owner with *the peasant proprietor and that the zamindar* or the inamdar is a mere assignee of the land revenue. If these principles are accepted, the whole question will be very simple. I find that none of my friends here referred to that question as inamdars and their representatives here have done. My friends did not go into the fundamental principles on which this Bill is based.

"I was very much pained to hear my hon. Friend, Mr. Srinivasa Ayyangar, ridiculing the reference to Manu. Of course, he has not taken Sir T. *Muthuswami* Ayyangar, Sir S. Subrahmania Ayyar and Mr. Srinivasaraghava Ayyangar as his authority, though some other hon. Members have done so. My hon. Friend, to suit his purpose now, has used my reference to Manu in the Council. He is an advocate; he is ridiculing any reference to Manu; he must know that the Hindu Law is based upon the laws of Manu and the whole land tenure is based upon them. If we give up Manu, I do not know where we will be. Suppose you give the land on an assessment of Rs. 8 or Rs. 10; somebody offers to pay more, say Rs. 15. Why not give the land to him? The Government may accept the offer, and we will lose all security of occupancy right vouchsafed now by the Government. Therefore I am very much pained to hear that. If that is done, the whole land tenure will be revolutionized not only in South India but in the whole of India. Therefore the first thing we have to see is what the rights of the State are and what the rights of the tenant or the peasant are. If the State is the owner of the soil, then, of course, the zamindar or the inamdar who derives his title from the State would be only the owner of the soil. If it is not, it follows that the Government cannot grant any right or any interest in the soil to the inamdar or the zamindar. Therefore the whole question is that the interests of the ryot will never be affected by the grants made by the zamindar or by the Government. The inamdar can never acquire absolute right in the soil. For certain purposes my hon. Friend relied upon Mr. Srinivasaraghava Ayyangar. I shall also rely upon him. He says 'Ancient Hindu Law recognized only two beneficial interests in land, namely, (1) that of the sovereign or his representative and (2) that of the cultivators holding the land either individually or as members of joint family or a joint village community. Neither the Sovereign nor the cultivators had unlimited proprietary right or full ownership in the modern sense. The Sovereign's right consisted in his power to collect a share of the produce of the cultivated lands, known by the name melvaram in the southern districts of the Presidency; and this melvaram is not rent in the strict signification of the term. The share of the ryots or cultivators is known by the name kudivaram; and by ryots is to be understood "the cultivators who employ, superintend and assist the labourer, and who are everywhere the farmers of the country, the creators and payers of the land revenue." The ryots' right to land arises from mere occupation;

and is not derived from the Sovereign in the manner in which the right of an English tenant is derived from his landlord under modern English Law. The relation between the Government and the ryot may perhaps be described as one of co-partnership, but it is certainly not that of landlord and tenant. The ancient Hindu law-books clearly establish this position . . . The Muhammadan rule did not alter the internal constitution of villages and the rights of landed property, except by increasing the tax and diminishing the value of the ryot's interest by collecting the revenue by means of farmers.'

2-15 p.m. "The very authority quoted by my hon. Friend goes to confirm the view put forward by the Government and by the ryots, that the State is only the melvaramdar and not the owner of the soil. That the peasant was the proprietor of the soil was recognized by the Sadar Diwani Adalat so long ago as 1817. The Board in their proceedings of the 5th January 1818—which have been quoted with approval by the Judicial Committee of the Privy Council in 45 Madras, 586—say:

'The universal distinguishing character as well as the chief privilege of this class of people is their exclusive right to the hereditary position and usufruct of the soil as long as they render a certain portion of the produce of the land in kind or money as public revenue and whether rendered in service, in money or in kind and whether paid to Rajas, jagirdars, zamindars, poligars, mittadars, shrotriemdars or inamdars or Government officers such as tahsildars, amildars, amins or tahsildars. The payments which have always been made by the ryot are universally termed and considered dues of the Government.'

From this, can anybody doubt that the position of the zamindar and the inamdar, so far as their relations with ryots are concerned, is the same? That is what was stated by Sir T. Muthuswami Ayyar and another Judge whose name I now forget. In XX Madras, 299, the question has been elaborately dealt with by Sir S. Subrahmanya Ayyar who has referred to Manu. Therefore, to say that from the twentieth century there has been a jump to the days of Manu is wrong. So far as customary Hindu law is based upon the text of Manu, it has been recognized as authoritative by several great authorities, like Sir S. Subrahmanya Ayyar and Sir T. Muthuswami Ayyar; and I take it that nobody would like to throw them overboard and swear by some members of the Judicial Committee."

Mr. T. C. SRINIVASA AYYANGAR:—"Manu was burnt ceremonially by a member of the Justice Party, I believe, in Tinnevelly."

* Sriman M. G. PATNAIK Mahasayo:—"He says somebody burnt the effigy of Manu; but my orthodox Brahman friend tries to burn Manu outright by saying that Manu is no authority in this case; not only that; he burns the effigy of Sir Subrahmanya Ayyar and that of Sir T. Muthuswami Ayyar. (Laughter.) Nobody, therefore, can ridicule that idea. Every one ought to see what the principles are. The Estates Land Act was based on these principles; we find it from the speech of Mr. G. S. Forbes. I think a clearer enunciation of the fundamental principles governing the relations between landholders and tenants cannot be found elsewhere so far as this Presidency is concerned. If

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anybody goes through that speech, he will find clearly that the fundamentals are quite all right. These very questions were raised in the year 1908 by several members, most of whom, I admit, were more learned than we here are. They all admitted that the principles were unalterable but they only wanted to make certain exceptions in regard to agraharamdars. That was the position in 1908. Let us go now to 1910. I suppose you all know that Mr. V. Krishnaswami Ayyar was a member of the Legislative Council in 1908; he became a Judge in 1909 or 1910, and in 1910, you find his judgment, reported in XXXIV Madras. There he says that the inamdar has to prove that he had both the varams. If the inam was situated in a zamindari, the inamdar cannot have a better right than the zamindar; if it is situate in a Government area, he cannot have a better right than the Government. Therefore, he cannot eject the ryots who were cultivating the lands for fifty years. He put it on this simple ground in XXXIV Madras. The gentleman who took an active part in regard to the Bill which resulted in the Act of 1908 says that. So, what is the conclusion we have to come to. The conclusion is that we have to call on the inamdars to prove that both the varams vest in them. It is to the credit of the inamdars that they were also prepared to shoulder that burden of proof. But what does that mean? That shows that if they cannot prove that they had the kudivaram in them, it must be admitted that the ryots had the kudivaram. *The general rule had not to be proved, but the exception only had to be proved.* If an inamdar could not prove that he came to possess the exceptional right by some reason or other, the ryot must be admitted as having it. This question, as I said, has been elaborately discussed in 1908 and I must say that my hon. Friend, Sir Patro, is not right in saying that the question was not discussed then. It was Mr. L. A. Govindaraghava Ayyar who raised that point and Mr. Forbes gave a reply. This is what he said:

'To begin with, however, I may refer to an objection taken by the hon. Mr. Govindaraghava Ayyar which is not fundamental but which seems to have created a certain amount of misapprehension, and that is the position of the inamdar under the Bill. An inamdar who is a landholder as defined in the Bill is not quite in the same position as a zamindar under the Permanent Settlement. In the remarks which I made in introducing the Bill, I referred to both the classes under the general terms of landholders under a settlement and by grant. The *inamdar ordinarily* holds a grant of land revenue and is an assignee . . . pure and simple and has not even the same pretensions as the zamindar under a permanent settlement, to encroach upon the ryot's rights.'

Therefore, the question was considered then. There were several members at that time who advocated the cause of the inamdars; and somehow or other, even a Forbes had to yield to the clamour of those advocates, and allow certain amendments to be introduced to clause 3 (2) (*d*); otherwise, there is absolutely no reason why inams falling under clause 3 (2) (*d*) should be differently treated from inams falling under clause 3 (2) (*c*) or (*e*). Mr. Forbes had to carry on a reform in the teeth of the opposition of zamindars as well as inamdars. There were very few people representing ryots in the then Council. What

could he do? He had to secure the support of these people, and therefore he yielded to the clamour of the inamdars, so that he might have his own way in regard to other amendments. Even then he knew that the question would be a question of fact and that the burden of proof would be upon the inamdar. He thought that therefore much harm would not result by the amendment being allowed; but subsequently things changed, which I shall refer to presently.

"I shall first refer to the definition of 'estate.'

"'Estate' means '. . . any unsettled palaiyam or jagir.' Jagir is an inam granted to some relation of the ruler or some dignitary; it is only a dignified form of inam and it does not differ materially from an inam coming under clause (*d*). Then clause (*e*) says: 'any portion consisting of one or more villages of any of the estates specified above in clauses (*a*), (*b*), (*c*) or (*d*) which is held on a permanent under-tenure.' I would say that there are three kinds of inam dealt with in the Estates Land Act, i.e., *in clauses* (*c*), (*d*) and (*e*). So far as (*c*) is concerned, we know that zamindars granted inams after the settlement, i.e., after 1802. That is one kind. Then we have clause (*d*) which presupposes that the grant should have been made before 1802, and (*e*) contemplates inams granted subsequently. So far as a darmila inam village is concerned, I say there is legally no difference at all between it and presettlement inam. Before 1802, the position of the zamindar was that whatever payment be made, that could be varied from time to time, and the permanent settlement made invariable the payments which were variable till that date. The Privy Council has held in XLIV Madras and XIII Madras, to that effect—that payments which were variable before the settlement were made invariable under the permanent settlement. And no zamindar derived his title under the settlement. For instance, take a ryotwari tract. The assessment is liable to variation, but still the ryot's right to hold the land continues. That was the position of the zamindar before 1802. The right of the ryot to hold the land is not denied to him. Therefore, the zamindar could make a grant out of the estate which he held even before 1802, and what the Government did was that where no revenue had been fixed at the time of the settlement upon alienations made before 1908, in certain cases, such alienations were reserved for assessment subsequently.

"That is what we find, I think, in Regulation No. 31 of 1802. Government also treated these alienations as unauthorized and they said that the question would be taken up later on and in accordance with that undertaking, an Inams Commissioner was appointed in 1862. All these things go to show that these are simply for the purpose of assessment and that they would have recognized those grants and then fixed the assessment. In certain cases they fixed some assessment and in some other cases they recognized the grant as free of assessment. Therefore, the enfranchisement of the inams by the Inams Commissioner did not alter the proprietary rights of the holder except to the

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extent to which they were not bound to pay anything more than what was fixed by the Government as assessment on such conditions as were fixed by Government under the inam title deeds. So, it was stated in a subsequent Act and the wording in the title-deeds was somewhat inaccurate. Inam title-deeds made reference to lands being granted and the Acts of 1862 and 1866 which dealt with inam matters also referred to lands. The Madras Act of 1869 says that 'land' does not mean *absolute right in the land, and that such rights as the ryots have,* would not be affected by any acts done by the Inams Commissioner. Therefore Government did not purport to deal with proprietary rights in the soil on the part of the ryots. With regard to subsequent inams, there is no difficulty at all. These lands were granted by zamindars and are held by several persons. The one point that was impressed by the legislature in 1908 was that it might be possible that some person who owned the kudivaram was subsequently granted the melvaram. Of course there is some force in that. Nobody would say that there would not be such cases at all, but such cases might exist even with regard to inams coming under sub-clause (*e*) or sub-clause (*c*). Nobody paid any attention to these sub-clauses, but under sub-clause (*d*) agraharamdars come in because members who were then in the Council were interested in agraharams and agraharamdars, and they did not care for the inamdars or owners of inams coming under sub-clause (*c*). So, it is also quite possible that the person who was granted the inam under sub-clause (*e*) owned the kudivaram previously. It is more probable than in regard to an inam coming under sub-clause (*e*), because it is only a subsequent inam that is granted. Probably the ryot himself was granted the inam. But here, so far as inams coming under sub-clause (*d*) are concerned, we find that grants were made mostly as religious endowments, that is to temples and to Brahmans and to heads of temples and mutts; and these Brahmans are practically prohibited from cultivating lands according to the Smritis. Parasara Smriti says that if any person cultivates lands, he commits in a day as much sin as a fisherman commits in a year by catching fish. That is what it says. Therefore ploughing by Brahmans was discouraged in those days; therefore persons who made the grants, made these grants to persons who would not take to cultivation. (Interruption.) If people are anglicised, they cannot understand these sentiments because their heads are anglicised heads and not Hindu heads. So, I say, Sir, from this you can practically conclude that grantees were not persons who were cultivating lands. In many of these things, therefore, it was safely assumed by the High Court that when the grantee was a Brahman or a temple, it is but right that the kudivaram was never meant to be given."

Mr. T. C. SRINIVASA AYYANGAR:—"There were also innumerable Non-Brahman grantees originally. . ."

Sriman M. G. PATNAIK Mahasayo:—"That is all right. In the case of agraharamdars, they are mostly Brahmans."

Mr. T. C. SRINIVASA AYYANGAR:—" It is to avoid a misconceptio: I state that in my parts, Brahmins sold away mostly—the many Brah min graduates of the Madras University employed and unemployed, no represent the inams that passed away from their families."

* The Hon. the PRESIDENT:—" Order, order."

Sriman M. G. PATNAIK Mahasayo:—" My friend need not b much excited."

* The Hon. the PRESIDENT:—" I would advise both the hon. M bers not to get excited."

* Sriman M. G. PATNAIK Mahasayo:—" But a challenge n should not go unchallenged. Therefore, Sir, in many of these c you will find that even Brahmin Judges have held that in cases wl grants were made to Brahmins or even to religious endowments, presumption was that only melvaram was granted and not kudivar So, taking all these things into consideration we can safely concl that the principles were quite all right. In the 1908 Act only opportunity was reserved to the inamdars to prove that they had kudivaram also vested in them. That was what was done by an am ment of section 3 (2) (*d*), but the original Bill of 1905 was quite diffe The alteration was made to make room for an investigation a whether a particular whole inam village was an estate or not whether kudivaram vested in the grantee at the time of the gran not. Each case had therefore to be decided on its own merits. was the law, i.e., the burden of proof was thrown upon the inamda show that the kudivaram had vested in him before the grant of inam was made. In 1918, you know, Sir, that position was altere

" Again in 1922, the Government wanted to take up the ques and they appointed a committee which went into the whole ques under the presidency of Sir K. Srinivasa Ayyangar. My hon. Fri Sir Patro, referred to the comparative table given there. In again another committee was appointed under the presidency of C. P. Ramaswami Ayyar, who was then the Law Member. From amendments made from time to time, you find how gradually they f it necessary to alter the law. This is what you find there: ' Any i village of which the grant was made or confirmed by the British ernment, provided that where the entire kudivaram interest veste the inamdar, such land shall cease to be part of the estate.' Th the position. That is much better than the clause we find in the of 1908. All that it says is, supposing an inamdar purchases entire kudivaram of the land, then it ceases to be an estate and this principle that has been followed. We have now to consider cer facts. It is not yet clear whether all the inam villages are est Now, one difficulty arises, namely, cases in which kudivaram vested in the inamdar previously must be excluded because they w not be estates; and if the melvaram is granted, to a person not ow the kudivaram, then it would be an estate, because even that prin

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had been recognized in the Act itself. So, such cases have to be excluded if evidence is forthcoming. But that distinction was lost sight of here. Such a distinction should be made here. That a whole inam village which is enfranchised should be declared an estate, is what is stated in clause (*d*), but then power is reserved to the inamdar to acquire the entire interest in the land by purchase or otherwise. Such power is not reserved to other landholders owning estates falling under sub-clauses (*a*), (*b*), (*c*) or (*e*) (Interruption). Yes, Brahmans have to be favoured even under the British Government. That was what has been done. Therefore, the very idea has been carried out by successive Revenue Members and Sir Archibald Campbell has done nothing more than that, because this is what you find: 'Any inam village of which a grant was made or confirmed, etc.' Instead of saying that these lands shall be excluded from or cease to be estates, he called them private lands, i.e., lands in which both varams vested in the inamdar. My hon. Friends go on saying that the law was revolutionized. If anything was revolutionized, revolution was made by Manu, by Sir T. Muthuswami Ayyar, Sir S. Subrahmanya Ayyar and even by Mr. V. Krishnaswami Ayyar. Therefore, nobody revolutionized the law; but the law stands as it is, but only the revolutionary character of these provisions have to be taken care of, because of the revolutionary character of the rulings of the Judicial Committee of the Privy Council. That is the whole difficulty. The revolutionary view was in England and not in India (Mr. Basheer Ahmed Sayeed: Here it is evolution). They set aside the principle which has been accepted for a very long time by the Madras Government in their Executive Council. In XLI Madras, they said the presumption of burden of proof on the inamdar was wrongly cast and that it ought not to be so and that each case has to be decided on its merits. That was of course quite opposed to principles. Even a full bench of the Madras High Court composed of Sir John Wallis, Coutts Trotter and Justice Ramesam, interpreted the decision of the Lordships of the Privy Council in XLI and XLII Madras, quite differently from what was intended by the Privy Council. Therefore, I am not far wrong in saying that the decision of the Privy Council was not understood by the Judges of the full bench of the Madras High Court.

"Ultimately in 1934, in LVII Madras Law Journal, referred to by 12—
the Hon. Sir Archibald Campbell the whole case was decided on the p.m.
question of burden of proof being cast on the tenant. The tenant was holding it for more than hundred years; but even then the Privy Council held that the burden of proof was on the tenant himself. Supposing following this ruling of the Privy Council pending cases were to be tried in the civil courts, it is certain that the tenants would be turned out of their lands, for the courts are bound to follow the rulings of the Privy Council. The tenants may have been in possession of the land for any length of time; but all that would be of no use. How are they to prove that the kudivaram vested in them? All the

documents which they can rely upon in support of their case will be in the hands of the inamdars. I think it would be utterly impossible for them to prove that they had the kudivaram. It was the precarious position of the tenant that was considered by Sir Archibald Campbell when he introduced his last Bill. In answer to a similar motion brought forward by my hon. Friend Mr. Hamid Khan on the 22nd October 1934—he then wanted to wreck the Bill just as Sir Patro tries to wreck the present measure—he expressed his views as follows:—

'As I mentioned then, the last ruling of the Privy Council in January 1934 seemed to show that it was merely a matter of time for the operation of the law as it stands at present and as interpreted by the highest courts to lead to the deprivation of the ryots of their kudivaram rights in all cases, though I believe in thousands of villages inamdars hitherto have never claimed this right and have admitted that the ryots have got it. That is why we have felt it necessary to undertake this legislation without further delay and meantime to hold up the operation of the courts.'

"Now I have made it plain why a Bill of this kind should be pushed through. I think that if anybody tries to delay the passage of this Bill, he should be said to be not a friend of the tenants. Just imagine what their position would be if this Bill is not to be passed. They will have to be turned out of their lands. But if this Bill is passed, it will amount to over-riding the effect of the rulings of the Privy Council. The point is that the burden of proof must be shifted as admitted even by the inamdars. If that is so, legislation is necessary. Let us go into the provisions of the Bill and if they are found to be bad or indifferent, they can be amended. Then, Sir, we talk of estates coming under section (*d*) of the Estates Land Act and those not coming under that. My submission is that no enquiry has been held as to which estates come under the Act and which will not. Unless the court gives a final decision we cannot say which whole inam village is an estate and which is not under the present Act. Therefore a judicial pronouncement is necessary, and we shall have to expedite it by casting the burden on the inamdars and making a provision to that effect in the law. Let us not go into the details of the measure just now; if there are any improvements to be effected, those things may be considered on their merits. There is no doubt that there is a necessity for a legislation of this kind and I do not think any reasonable man would object to it. I therefore think that the Bill may be taken up for consideration and we can make such alterations as the House may consider proper. Already, I have wearied the House and I do not propose to reply to my hon. Friend Sir Patro and to refer to his consistencies and inconsistencies."

Diwan Bahadur A. APPADURAI PILLAI:—"Mr. President, I move that the question be now put."

* The Hon. the PRESIDENT:—"The House would like to hear Dr. Subbarayan and also the reply of the Hon. the Revenue Member. Therefore, I cannot accept the closure motion at this stage."

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* Dr. P. SUBBARAYAN :—" Mr. President, I have no intention to tire e House on this matter because, as the Hon. the Revenue Member himlf suggested, this question has been discussed *ad nauseum*. But at the me time, I feel that I should give a warning. We have heard so uch about socialism and communism and I know hon. Members on the her side have been putting forward that Pandit Jawaharlal's advent power would bring in communism. I do not think that Pandit Jawarlal requires a better advocate than my hon. Friend, Mr. Patnaik. it is going to be conceded that the Crown is the possessor of the land this country, which means the State, and the tenant or the cultivator to have the right of occupancy, I should be at one with my hon. riend. It means the abolition of all middle landlords. If such a step ould be taken by the Government, I should be willing myself to lose e rights I have as a middle landlord. Are the Government in favour legislation of that kind? Are the Government moving towards a ally communistic state? Or is the Hon. the Revenue Member beginng to take the first step on the road to communism by bringing forward gislation aimed at the abolition of all middle landlords? (Interruption Mr. P. V. Krishnayya Choudari.) I know what I am going to say d my hon. Friend need not prompt. I know more than he in many ays. Are the Government moving towards a socialistic state? If so, body would be more glad than I, because the country being situated it is to-day, socialism is bound to come sooner or later. With the mense poverty and the vast population who do not get even one meal day, the time is certainly ripe for socialism to take root in this land. iat apart, Sir, are the Government suspicious of the electorate that ey themselves created by the new Government of India Act? The ectorate is going to be increased tenfold by that Act, and if any gislature is competent to deal with legislation of this kind, I should ive thought the coming legislature would be the forum which would quite competent to pass it. I am not arguing on the rights and rongs of this Bill. I do hold that when the life of this legislature is been extended from time to time—we are now in the sixth year of s existence—it is only right that the future electorate ought to have e right to say whether they want a legislation of this kind or not. this Bill is not passed, I am sure one of the questions which the new ectorate will have to consider will be the relation between landlords d tenants and the question of the occupancy rights of the inamdars d the tenants. That would certainly form part of the election propanda of most of the parties that would seek the vote of the next electrate. Do the Government want to pass this legislation without giving chance to the new democratic assembly which is to come into being? ie Hon. the Revenue Member has contended that this Bill is the same was passed repeatedly by this Council. I say 'No.' If it is what is passed and if it is a fact that inam ryots are in the same position ryots holding ryoti land in the zamindaris, then no question of mpensation arises at all. My Hon. Friend, the Revenue Member

says he agrees; then why does he not stick to his point of no compensation? On the other hand, he himself has introduced compensation though in name just to satisfy the Viceroy. It is a simple nominal compensation. Now that the question of compensation has been admitted, I would like to know whether $2\frac{1}{2}$ times the annual rental value of the land is an adequate compensation. I know this was fixed by going back to old waste. But then there was no question of cultivable land. It meant that the tenant had to spend a good amount to set right the land and bring it into proper condition. That analogy ought not to hold good here. The compensation ought to be according to the market value of the land and of the kudivaram of the inamdar. Either give it or do not give it. There ought to be no question of half-way-house between that and what the Government have done. The Government are really trying to pass a measure which has the word 'compensation' in its enactment but which would not really give it in concrete form, which was what was intended by the Viceroy when he disallowed this legislation on the question of compensation. I am sure that the battle is not going to be over with the passing of this measure by this House. There are interested parties on both sides who would still agitate over the issue. ·.m. At the same time I am in favour of the motion proposed by my friend Sir Parasurama Doss for the reason that I think the Council elected on a more democratic basis will be more fit to deal with this question than this attenuated House."

* The Hon. Sir CHARLES SOUTER :—" Mr. President, Sir, I think perhaps I may reply first to the Leader of the Opposition and his remarks. He preferred to say that he was not going into the rights and wrongs of the Bill but merely contented himself with saying that this is a measure which ought to be left to the new electorate. I cannot see there is any very great force in that statement of the case. If it is a fact that we are now introducing this Bill or the principle of the Bill for the first time at the fag end of this present Council, I could agree with him. But as we had had a measure of this kind in our mind for the last five years, i.e., only a year since the constitution of this Council by the electorate, we cannot possibly say we are introducing a measure which this Council as constituted is not qualified to pass. Nor can I see any point in saying that in introducing such a measure, we are introducing socialism. On the contrary, we are giving the people vested interest or property in their land which communism from its very definition must deny them. This argument of Dr. Subbarayan is very surprising and it seems to me to reveal a total misunderstanding of what the purpose of this measure is.

" Then, Sir, he went on to the point of compensation. I agree personally that compensation in a case like this is totally unnecessary. (Hear, hear.) But as we know the Viceroy has said that compensation is necessary, if we now pass a measure in which we give no compensation, the chances are that that

the attitude of this House aright, I take it that this House is by a very considerable majority in favour of this Bill. If we want these general principles to be applied, we will have to consider the effect which this principle or that principle may have with regard to compensation and what we have to decide is what should be the compensation, all circumstances considered. This, Sir, disposes of my hon. Friend, Dr. Subbarayan's remarks.

"As regards the rest, may I congratulate Mr. Patnaik on his exposition of the general law (laughter and cheers) on the subject and the course of legislation or proposed legislation which has taken place in this Presidency for the last thirty years. It struck me, and I hope most other Members will agree with me, as a very clear, reasoned and critical examination of this question. I think very few of us would deny that if matters in this Presidency had been permitted to continue on the lines on which we had been going on since 1908 we should not have had any trouble so far as legislation is concerned. It has been forced on us by decisions of the Privy Council which most people here agree, I think, were not in consonance with the ideas which were generally held. Now that brings me to a point which Mr. Patnaik very strongly made at the commencement of his speech. We have been told that we have been rushing through this Bill. Even if that were true, such haste is necessary. Otherwise we should be bound by the latest decision of the Privy Council passed only two years ago and we should be left—I do not say at the mercy of the courts, because courts will have no option—all the tenants will be left to the orders of the Court which must follow the decisions of the Privy Council. The case is there and we have to undo that position as soon as we possibly can. Otherwise if we delay this as my friends opposite want, it will simply mean that unless we pass such a measure by which this can be avoided the tenants will be at the mercy of the landlord. This must be prevented at all costs. Well, Sir, as I said, I must thank Mr. Patnaik for his exposition of the case which has helped me very considerably in my reply. I come now to Sir Parasuramadas who moved that this Bill should be adjourned *sine die*. I had the privilege to reply to him on a former occasion and to a mark that his is, to put it mildly, an inconsistent attitude towards this measure. Apparently his inconsistency has not been dissipated in the meawhile. If anything it has become stronger and he urges that a measure to which he gave his whole-hearted support for a very long time apparently is anathema now. The reason for this sudden change I do not know. I must ask Sir Parasuramadas's conscience to tell me what it is. But in all the criticisms I have heard about this measure, in all the speeches, I have not heard one single person contradicting my statement that the tenants in inams are in a worse condition than the tenants in any other tracts of the Presidency. Why has that statement not been denied? We know it is truth, an unquestioned truth. Government will be failing in their duty if they do not carry through a measure such as this. The

rest of the criticisms offered were on matters of detail. The terms on which inams should be included, matters relating to tribunals and so on are all matters of detail which are provided for in this clause or that clause of the Bill which is before the House and a discussion on those matters of detail seems to me to have very little force against the general principles of the Bill which we seek to introduce. I ask hon. Members in considering this motion for adjournment *sine die* to keep that in mind and not to be led astray by considerations whether compensation is necessary or not or $2\frac{1}{2}$ times the rental value is too much or too little or whether it is too expensive or whether the procedure is too elaborate. Let us forget all these things and concentrate on this point whether this measure is necessary or not necessary; that is what we have to consider in this motion to adjourn the consideration of this Bill. And as a corollary to that we must consider whether, if the introduction is necessary, it is urgently necessary. I have already said that on these two points there can be no doubt whatsoever. The inams measure is necessary because of the recent decisions of the Privy Council regarding the position of ryots in inams and the measure is urgent. I think it is the duty of this House to proceed with this measure and, if they agree with the general principle, to pass it during this session. Sir, I do not wish to say anything more. Most of the other points raised were matters of detail and when these matters come to be discussed in the various clauses, I will deal with them in full. I must oppose this motion of Sir Parasuramadas."

Dr. P. SUBBARAYAN :—" I want only to point out that when the Bill was originally introduced by Sir Archibald Campbell there was no talk of the inamdar at all or the changes of law as it existed then and decided by the Privy Council. Nor did the Select Committee have anything to restore the original provision of the Bill. On the other hand, the amendment of Mr. Muniswami Nayudu which brought about this change was introduced about November or the end of November 1933 when this Council had already been extended for a period of one year. So my point that they are trying to rush through this extended Council holds good. (Interruption by Sir A. P. Patro.) I have already explained my position and Sir Patro must have heard it."

* The Hon. the PRESIDENT :—" The question is—

> '*that the further consideration of the report of the Select Committee and the Bill be adjourned* sine die '."

The motion was put and declared lost.

Mr. P. V. KRISHNAYYA CHOUDARI :—" I want a poll in view of the importance of the question."

* The Hon. the PRESIDENT :—" Order, order, no explanation is

The House divided thus:

Ayes.

1 Mr. G. Simhachalam Pantulu.
2 Sir A. P. Patro.
3 The Zamindar of Tekkali.
4 Dr. P. Subbarayan.
5 Diwan Bahadur T. A. Ramalingam Chettiyar.
6 Mr. T. C. Srinivasa Ayyangar.
7 Mr. Abdul Hameed Khan.
8 ,, Basheer Ahmed Sayeed.
9 Mr. T. S. Ramaswami Ayyar. 1-15 p.m.
10 Rao Bahadur P. C. Muthu Chettiyar.
11 Mr. A. M. Ahmed Meeran.
12 ,, A. Pl. N. V. Nadimuthu Pillai.
13 ,, P. Peddi Raju.
14 ,, K. A. Nachiyappa Gounder.
15 ,, K. S. Sivasubrahmanya Ayyar.
16 ,, G. Rameswara Rao.

Noes.

1 The Hon. Rao Bahadur A. T. Pannirselvam.
2 ,, Sir Charles Souter.
3 ,, Sir Geoffrey Bracken.
4 ,, Mr. C. F. Brackenbury.
5 ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6 ,, Mr. P. T. Rajan.
7 ,, the Raja of Bobbili.
8 Diwan Bahadur C. Natesa Mudaliyar.
9 Mrs. K. Alamelumangathayaramma.
10 Mr. W. Scott Brown.
11 ,, H. R. Uzielli.
12 ,, C. E. Jones.
13 ,, H. M. Hood.
14 ,, R. Madanagopal Nayudu.
15 ,, T. B. Russell.
16 ,, T. Sundara Rao Nayudu.
17 Khan Sahib Syed Tajuddin Sahib Bahadur.
18 Mr. I. C. Iswaran Pillai.
19 Diwan Bahadur R. Srinivasan.
20 ,, A. Appadurai Pillai.
21 Mr. K. C. M. Venkatachala Reddiyar.
22 ,, C. D. Nayagam.
23 ,, M. Devadasan.
24 ,, S. M. Laljan.
25 Zamindar of Kirlampudi.
26 Rao Bahadur B. P. Sesha Reddi.
27 Mr. P. C. Moses.
28 Rao Sahib P. V. Rajagopal Pillai.
29 Mr. V. G. Vasudeva Pillai.
30 ,, G. F. F. Foulkes.
31 Sriman M. G. Patnaik Mahasayo.
32 Mr. W. P. A. Soundarapandian.
33 ,, P. K. Ramachandra Padayachi.
34 Rao Sahib V. Dharmalingam Pillai.
35 Rao Bahadur D. Krishnamurti.
36 Kumararaja of Venkatagiri.
37 Khan Bahadur Mahmud Schamnad Sahib Bahadur.
38 Mr. Mahboob Ali Baig.
39 Zamindar of Bodinayakkanur.
40 Mr. Daniel Thomas.
41 ,, G. Sriramulu.
42 ,, J. Kuppuswami Choudari.
43 ,, C. Indrayya.
44 ,, K. Pattabhiramayya.
45 Rao Sahib C. Jayaram Nayudu.
46 ,, D. V. Narasimhaswami.
47 ,, Pandit Ganala Ramamurti.
48 Mr. K. Kesavaramamurti Nayudu.
49 ,, M. B. Rangaswami Reddi.
50 ,, V. T. Arasu.
51 ,, K. P. Raman Menon.
52 ,, G. R. Premayya.
53 Rai Sahib C. Kolanda Reddi.
54 Mr. K. Koti Reddi.
55 ,, P. M. Thangal.
56 ,, V. P. Narayanan Nambiyar.
57 ,, V. M. Ramaswami Mudaliyar.
58 ,, C. Ramalinga Reddi.
59 Mrs. A. Rukmani Lakshmipathi.
60 Mr. C. Obi Reddi.
61 Rao Sahib V. I. Muniswami Pillai.
62 Mr. H. M. Jagannatham.
63 ,, S. M. K. Beyabani.
64 Diwan Bahadur M. Gopalaswami Mudaliyar.
65 Rao Bahadur Subadar-Major S. A. Nanjappa.
66 Mr. P. V. Krishnayya Choudari.
67 Diwan Bahadur S. Ellappa Chettiyar.
68 Mr. C. Basu Dev.

Ayes. 16. *Noes.* 68.

The motion was lost.

* The Hon. the PRESIDENT :—" The question is—

'*that the Bill further to amend the Madras Estates Land Act, 1908, and to amend the Madras Estates Land (Amendment) Act, 1934, for certain purposes (Bill No. 11 of 1936) as amended by the Select Committee, be taken into consideration*'."

Clause 1.

* The Hon. the PRESIDENT :—" Clause 1 is for the vote of the House."

Sir A. P. PATRO :—" I find two other motions on the paper. Am I to understand that the other motions also are swept out by this vote?"

* The Hon. the PRESIDENT :—" I am surprised at the suggestion of Sir A. P. Patro. When one motion is defeated, it means all other motions of the same type are also defeated. That does not require any elucidation from the Chair."

Dr. P. SUBBARAYAN :—" I think Sir A. P. Patro is referring to his other motion."

* The Hon. the PRESIDENT :—" Unfortunately, the Leader of the Opposition was not present here when Sir A. P. Patro agreed that he was going to move his second motion and not the first motion."

Sir A. P. PATRO :—" Unfortunately, the President said that the two motions cannot be discussed together, and so I had to move the second motion."

The Hon. the PRESIDENT :—" It will be seen that fortunately or unfortunately Sir A. P. Patro said that he was moving the second motion and not the first motion. Clause 1 is now for the vote of the House."

Clause 1 was put and carried.

(After Lunch—2-30 p.m.)

Clause 2.

Section 3.

Sub-clause (*i*).

* Mr. T. C. SRINIVASA AYYANGAR :—" Sir, I beg to move—

'*In clause* 2, *sub-clause* (i), substitute *the following* for *sub-clause* (*d*) :—

" (*d*) *any village of which the land revenue without the kudivaram has been granted to a person not owning the kudivaram thereof provided that the grant has been made, confirmed or recognized by the British Government and provided that in all proceedings in which the question arises as to whether the grant included the kudivaram, it shall be presumed that it consisted of the melvaram alone until the contrary is shown* ".'

" The scheme of this amendment is this: one of the main reasons which have been given for undertaking this piece of legislation is that the Privy Council decision altered the onus. Although the decision itself might have created difficulties, as was mentioned by the Expert

Member, and three learned Judges of the Madras High Court might have found it difficult to construe that decision, the Privy Council itself in a later decision expounded their own view. Later decisions restored to a certain extent the desired notions of that law. However that may be, it is so constantly mentioned that the question of onus is creating difficulty for the tenant and that it ought to be put on the inamdar. So, the onus is specifically provided for by casting it on the inamdar. This being so altered, the original definition will do. That is the reason, why I say, instead of making these radical changes, if the defect is removed, it would answer the purpose."

Mr. P. Peddi Raju :—" I second it."

* The Hon. Sir Charles Souter :—" Mr. President, I am afraid I must oppose this amendment for these reasons: Mr. T. C. Srinivasa Ayyangar, if I recollect well, moved exactly a similar amendment for consideration when the Bill was before us on the previous occasion, and on that occasion the House rejected that amendment. I do not think I can do better than quote what Sir Archibald Campbell said with reference to this amendment on that occasion. He said:

'This amendment restores not only the definition in the existing Act, but also wants to lay down that it should be presumed that the land consists of the melvaram alone until the contrary is shown. This will still leave the tenant in a very difficult position. It will not safeguard him, as we all know that he is at a very great disadvantage when he has to appear in the courts against the inamdar. He is generally a poor man and cannot afford to employ leading vakils nor has he any documents at his disposal. He will have very great difficulty in combating any claim against him. I submit, Sir, that this amendment will interfere with the whole scheme of the Bill as it has come from the Select Committee and therefore I must oppose it.'

" These are the words of Sir Archibald Campbell and I think what he says there is correct. This amendment will leave the tenant at a greater disadvantage than before, because it casts upon him the burden of proving that the melvaram alone was what was granted. He cannot bring documents in support of that. I think therefore that I cannot accept the amendment."

* Mr. T. C. Srinivasa Ayyangar :—" Sir, I desire to correct the misconception of my Hon. Friend. In fact, the addendum to the definition provides that in all proceedings in which the question arises as to whether the grant included the kudivaram, it shall be presumed that it consisted of the melvaram alone. It is decidedly placing the onus upon the inamdar and not placing any difficulty whatever on the tenant. That is why my Hon. Friend, the Expert Member was arguing before lunch time that even the inamdars have admitted it. And he placed emphasis upon the so-called admission that the Privy Council changed the onus. I am not quarrelling with his view of the matter. But surely, in view of the feeling that the Privy Council changed the onus and made the matter difficult for the tenant, we are prepared to meet the claim. This amendment must be acceptable. Though the

later decision cleared the difficulty, we desire to avoid a controversy. Let the burden be placed upon the inamdar. It is open to the Government to oppose or accept the amendment. But instead of that, to say that it makes the position of the tenant difficult is, I submit, wrong."

The amendment was put and lost.

* Mr. P. Peddi Raju:—" I beg to move—

'*At the end of sub-clause (i) and before the Explanation,* insert *the following proviso:—*

" *Nothing in this sub-clause shall affect the inam lands not exceeding 30 acres in extent, acquired for valuable consideration by an inamdar prior to 1st November 1933, where such lands are situated in inam village which is not an estate or has ceased to be an estate under the provisions of the Madras Estates Land Act of 1908 and which has become an estate or part of an estate under the provisions of the Madras Estates Land (Amendment) Act, 1936* ".'

" I think, Sir, it may be said on behalf of the Government that a similar amendment has been moved and defeated and that there is no use of arguing the matter. But my feeling in the matter is this: what I have been complaining from the beginning so far as this Bill is concerned is that we had the Estates Land Act of 1908. By that Act people have been asked to take a particular course of action. Courts have decided certain matters and, under the provisions of that Act, certain transactions have taken place from 1908 up till now. All that I now say is this: 'Protect the result of the transactions that have been carried out either by contract or by decisions of courts between 1908 and now. Protect all that from the provisions of this Act, not in all cases, but in cases where people have paid money and got these rights.' I also took care to see that this protection is not given to big inamdars, but to people who have acquired title under the provisions of the existing Act for valuable consideration and bona fide. They should be protected. Why I am saying this is this: call it socialistic legislation or anything you like. I need not quarrel with the terms used by my hon. Friends in the Council. All that I want is: it is impossible for a man to live without 30 acres of land. People who have put in all their earnings in acquiring this land for valuable consideration believing that the Act which the Government have enacted as early as 1908 has got a solemn effect as also the decisions based upon it and who have entered into transactions must be protected.

" Sir, on this amendment I want to say something in detail to point out the necessity for this amendment. This is how the amendment reads:—

'Nothing in this sub-clause shall affect the inam lands not exceeding 30 acres in extent acquired for valuable consideration by an inamdar prior to 1st November 1933.'

I use the word ' 1st November 1933 ' advisedly because this question of inams coming under the aegis of this legislation was never thought of till then.

' Where such lands are situated in inam village which is not an estate or has ceased to be an estate under the provisions of the Madras Estates Land Act of 1908, and which has become an estate or part of an estate under the provisions of the Madras Estates Land (Amendment) Act, 1936.'

In dealing with this amendment, I would point out that there are some subsequent amendments which are sought to be proposed and which are more comprehensive and I do not want to say that my amendment alone should be accepted. Sir, we have led people to take particular course of action, and it is unjust for this Council or the Government to make such people lose the property which they acquired. While on this question I shall quote a few instances. Before doing so, I would ask the Hon. the Revenue Member whether this legislation has been brought with a view to benefit the ryots of the inam villages or the people in general? I would like to take the Hon. the Revenue Member through a few cases. There is an agraharam village consisting of 17 acres of which 9 acres are poramboke lands and only 8 acres are cultivable. There are 14 agraharamdars who own nearly half an acre each as their inams. Under the provisions of this Act, all these people will be considered as zamindars and all sorts of procedure which apply to zamindars such as distraints, etc., will be applicable to them. Then there is another class. There is a village where the servants of the zamindar who are called Bhatrajus are inamdars. The whole village was granted to all the villagers and all the Bhatrajus are owners of the land as well as of the soil and they have been there for generations. By the time of the inam settlement lands were divided between these people and 235 different pattas have been issued in respect of lands in the whole inam village. But from the definition contained in the Act since originally the grant was made in respect of the whole village, though the enfranchisement was made by means of different pattas it may become an estate. What I mean to say is, that there was never any consideration of any tenant, when he came to the village. It is the villagers that own the land and they never thought of any tenant because there was no other man living in the village at that time. Even the depressed classes were not living then. Unfortunately these inamdars in course of time had to incur debts and had to sell away these lands and as a result of this outside people had purchased those lands. Originally there were only 235 families who were agraharamdars and who owned these inam lands. After the Estates Land Act came into force these lands numbering 1,000 acres are owned by six hundred people. These people have spent all their earnings and some of them have come all the way from Vizagapatam and settled there and have acquired these lands for valuable consideration. Now to say to these people, ' You go back to your old place; unless you cultivate these lands you cannot remain

here; you cannot enter into contract with tenants or you cannot lease your lands ' is most unjust and to deprive those people who have been enjoying these lands for more than 80 years of their valuable right is most ununderstandable. I have got some statistics for several villages in my district in which such classes of inamdars exist. The number of people who hold from 5 to 10 acres of ayacut of inam lands is about 7,000 in my district. All these lands have been purchased by the tenants themselves. The argument that will be advanced by the Hon. the Revenue Member will be that these people have purchased the lands and they are cultivating tenants and how does this Bill affect them? The simple answer to that is this: these inamdars are to-day in possession of 7,000 acres. You want to deprive them of the right of entering into contract with their tenants. Supposing the inamdar has got a better land in some other place and he wants to go and cultivate that land. In such a case, is he to part with the land which he is in possession of now? It may be said that these lands may come under ' private land.' It is stated under the definition of ' private land ' that it must have been cultivated continuously for 12 years prior to 1908. The amendment will not cover cases I am referring to because there are lands which have been acquired subsequent to the passing of the Act of 1908. Another thing is that land must have been purchased prior to 1st November 1921. If a man has purchased it in 1922 and has cultivated it for 11 or 12 years he will not be protected under the provisions of this Bill. That is the worst of it.

" So, my submission is we are interested in the welfare of the tenant as much as you. If you are interested in the welfare of the general public and if you are interested in the welfare of the tenants, I do not see any reason why those people who have acquired these lands for valuable consideration and who are generally poor should not be protected.

" I would quote another instance. There is a village where all the tenants of the village are Setti Balijas. There was a fight between these tenants and the Agraharamdars and the matter having gone to the court, it was decided in favour of the Agraharamdars and everybody gave possession of the lands which were about 1,600 acres to the Agraharamdars. What happened afterwards was this: the Agraharamdars having gone up to High Court and having incurred a lot of expenditure had to sell away their lands to others. Now because some others are cultivating these lands, that the people who purchased these lands but are not cultivating them should be asked to go away from their lands is most unjust.

" So, I would ask the Hon. the Revenue Member to go into this question very deeply. I say those who have acquired these lands for valuable consideration should be protected under this Act. I am not excluding any inam village from the operations of this Act. I am

trying to protect those people who have purchased these lands subsequent to the Act of 1908. If we do not do this, we are not fit to govern at all. So, I move my amendment."

* Mr. K. A. NACHIYAPPA GOUNDER:—"I have much pleasure in seconding this amendment. All along it has been contended that this measure has been brought to help the ryots' cause. If this amendment is accepted, it will really go to help the ryots who are in possession of the lands and are cultivating them now at a future date. As Mr. Peddi Raju said by accepting this amendment, you are protecting the ryot who is in possession of the land now, for a future contingency. It may happen that one who is a cultivating tenant to-day, for some reason or other may have to go away to some other place to cultivate his land there and in that case he will have to lease out his inam land temporarily. On that account if he is deprived of his rights over this land, it is simply horrible. A man who is actually cultivating his land may die and his successor probably a minor may not be able to cultivate it but may be forced to lease it out. In another case a poor ryot may not command credit facilities always to cultivate his lands. In these cases he should not be deprived of his right of leasing his lands to others. If we really want to help the cause of the ryots, we must give them sufficient protection for all sorts of contingencies. So I think we must make an exception so that it may help the ryots in the long run."

* The Hon. the PRESIDENT:—"Mr. T. C. Srinivasa Ayyangar might move the first part of his amendment No. 8." 3 p.m.

Mr. P. PEDDIRAJU:—"Sir, I should like to submit that the two amendments are entirely different. My amendment seeks protection for *bona fide* purchasers of land for valuable consideration between 1908 and 1933, because Act I of 1908 is responsible for their conduct. The other portions of the amendment of Mr. Srinivasa Ayyangar introduce more extensive provisions and refer to other cases. I am afraid my case will be prejudiced if the two amendments are mixed together."

* The Hon. the PRESIDENT:—"I thought both the amendments might be moved and discussed together but put to vote separately. If that is not convenient, I shall take the other amendment later on."

Mr. P. PEDDI RAJU:—"Yes, Sir, since the scope of the other amendment is entirely different."

* The Hon. the PRESIDENT:—"All right. Mr. Peddi Raju's amendment alone is for the discussion of the House."

Mr. K. P. RAMAN MENON:—"Sir, unacquainted as I am with the intricate provisions of the Estates Land Act, it is with considerable

hesitation that I rise to intervene in the debate. I want to say that I do not see the difficulty pointed out by Mr. Peddi Raju. First of all it appears to me that the amendment is rather indefinite.

'*Nothing in this sub-clause shall affect the inam lands not exceeding 30 acres in extent, acquired for valuable consideration . . .*'

What are the lands that have been acquired for valuable consideration? Does my hon. Friend mean the melvaram right or the kudivaram right or both? (Mr. P. Peddi Raju: 'Both.') Then it means that he is regarded as the complete owner of the land. So far my doubts have been cleared by my hon. Friend. If he is the complete owner of the land then he is cultivating the land himself or he has let it out for cultivation by others. If he is cultivating the land himself, he is protected by this Act. If he is not cultivating the land himself and has leased it out to others for rent, he will be getting the same rent hereafter also. The only difficulty that would arise is if a man who is cultivating the land now wants to lease it out to others. But that, I submit, is problematical. I submit no practical difficulty would arise. If, as a matter of fact, as pointed out by Mr. Nachiyappa Gounder and by Mr. Peddi Raju, it so happens that a man is not in a position to cultivate the land himself, or he dies and his successor is not in a position to cultivate the land himself, certainly in these days of competitive rents it will be possible to get other people to take the land. It is one of the fixed principles of law that whenever land is in the possession of a tenant it is not surrenderable by him and that principle has been adopted by the Estates Land Act. Therefore if a man gets the same rent for his land which he was getting before the passing of the Amendment Act, how does he suffer? If he is not able to cultivate the land himself or if he dies and his successor is not able to cultivate the land himself, if he actually gets the produce of the land to which he is entitled otherwise, where is the hardship, I ask? Under these circumstances I submit it will be needless to make such a provision as is pointed out by Mr. Peddi Raju."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, Sir, I do not think we should accept this principle of 30 acres. Once we have decided on the conferment of occupancy rights on the tenants there should be no limit of 30 acres or 50 acres or 100 acres. It is immaterial. Everybody should be treated alike. I therefore oppose the amendment of Mr. Peddi Raju.

" Then again he said that certain labourers had come from Vizagapatam and acquired the lands. If they are really labourers they need not let the land on lease; they can cultivate it themselves and this will not affect them at all.

" The third point of my hon. Friend was this. He said that the inamdars were very small people but were getting the big name of zamindars. Yes, are there not several Indian States which, though

they get only a revenue of Rs. 150, are called States? In our Presidency there is Sandur. They are all ruling princes. Similarly if an inamdar gets the name of zamindar it is all the more creditable to him and we certainly envy him. At the same time he does not suffer any pecuniary loss as has been pointed out by Mr. Raman Menon. Therefore I oppose the amendment moved by my hon. Friend Mr. Peddi Raju."

Mr. T. C. SRINIVASA AYYANGAR :—" Mr. President, Sir, I am really surprised at the opposition to this very modest amendment. Is it part of the policy that a man who happens to be an inamdar should be made a zamindar and subjected to the obligations under the Act, with all the possible difficulties heaped on him? Look at the existing Act. Prior to its amendment by the Act of 1934, under the proviso to section 8 any inamdar who becomes the owner of the kudivaram can have a merger of the melvaram and the kudivaram interests. He can become the proprietor of the land, and get out of the operation of the Estates Land Act (1 of 1908) even though he might previously have been within its jurisdiction. That was the law. That was the common law not merely administered by the British Courts up to the enactment of Act I of 1908, but also specifically enacted in a statutory form after that and was the law till 1934. Even under the Amending Act of 1934, the provision was not altogether abrogated but somewhat modified by a proviso under which the land was called a private land provided it satisfied the conditions laid down in the definition of private land. That being so the principle of this amendment is nothing new, neither new to the customary law regarding the land nor new to the general principles of law, nor even to the express statutory provisions regarding inams. The object is not to harass small landholders by subjecting them to the elaborate, costly, cumbrous and complicated machinery which is applicable to the case of vast zamindaris with their innumerable tenants. Now it is not merely in the Circars that the conditions mentioned by my hon. Friend exist. Even before the Inam Commission the inam villages became divided and sub-divided, by inheritance, partition and alienation, so much so, that a major portion of the investigation by the Inam Commission in the sixties of the last century was occupied in finding out the sharers. The inam registers would show long lists of owners. Even in the case of people owning 30 acres, these thirty acres will be the subject-matter of partition in the families. What is mentioned by my hon. Friend Mr. Krishnayya Choudari and what also I presume will be mentioned by the Expert Member will be this: if the inamdar happens to be a tenant also then he would be a cultivator. He would have the protection. Suppose he cultivates the land himself. Are you going to compel by any general policy that a man who is going to cultivate the land himself shall not lease it out to others? Suppose he is a poor man having no agricultural stock and is not able to cultivate the land himself. Or the man having a very small extent of land may have other avocations. Or there may be difficulties in the family owing to

which he may not be able to cultivate the land and for an occasional term may have to let it to others. In these circumstances, I ask why these petty landholders should be brought within the Act. Sir, there may be 500 or 1,000 zamindaris in the whole of the Presidency now, but if the Bill is passed there will be 500,000 inam holdings becoming zamindaris with ever-changing extents and boundaries. It may be a millenium, it may be a paradise in the view of the expert, but surely it will be a pandemonium when the thing comes to be worked out. All these difficulties will be obviated if holdings below a limited extent are excluded. Let it be 30 acres or even less. I do not believe that the Expert Member is under an obligation to see that every word of the Bill is passed into law. On the other hand if he thinks that he must aid legislation in a reasonable way, here is an opportunity for him to be useful. But if he pins himself to every letter of the Bill and aims at passing every comma, semicolon and full-stop into law and thinks that otherwise his function would be lost, if that is his view of his duties I have nothing to say. I hope that in this matter the Expert Member will help us by taking a reasonable view of the duties of his exalted position. There is another amendment on the subject, but it will be seen that this amendment is of limited scope. This refers to acquisition for valuable consideration by an inamdar prior to 1st November 1933 in villages which would become estates now. As I mentioned this morning in speaking on another proposition all *bona fide* purchasers for valuable consideration ought to be protected by special provisions. Even when transfer is tainted by fraud, *bona fide* purchasers without notice of fraud are protected. But here is no such thing. People have been under the impression that there is a statutory provision and that they can purchase. They have purchased. There have been mergers enabling the land to get out of the operation of the Act. This has been going on previous to 1908 and from 1908 to 1934. If there can be any powerful case for protection it is this. The adoption of this principle will go a long way to reconcile the people affected to take to the Bill."

-15] .m. * Sriman M. G. PATNAIK Mahasayo:—" Sir, this motion may be analysed thus. It relates to estates, full inam villages which were not estates and then ceased to be estates. The hon. Mover means whole inam villages which ceased to be estates under the Madras Act I of 1908. In that Act provision has been made for treating such acquisitions as private lands. Therefore it will come under the four classes mentioned as private land. My hon. Friend referred to the purchaser from the inamdar. In that case probably twelve years' possession can be proved; so, it will come under one or other of the four classes of private land mentioned in the Bill. My friend says that the purchase might have been made within twelve years. That does not matter. He can tack on the possession of his vendor. Twelve years may be counted in that way. That difficulty can be got over.

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" The other case is an estate which was not an estate under the Estates Land Act. In that case I cannot see how there can be private land. The existence of private land presupposes the existence of an estate within the meaning of the Estates Land Act I of 1908. If there is no estate, there cannot be any private land. Both the varams vest in the owners of the inam, whoever they may be. Therefore there cannot be any difficulty so far as that is concerned. That will be dealt with in connexion with the provisions for acquisition of kudivaram interest.

" My hon. Friend without caring for the principle, merely appeals to the sympathy of the House. If, in a matter like this, you allow your sympathy to outrun your reason, you will be defeating the principles of the Bill. Then difficulties would arise. That is what exactly took place in the year 1908. Sub-clause (d) was amended, the principle was lost sight of and that gave rise to lot of litigation. Of course it was assumed that the law as it then stood, can never be altered. The Hon. Member referred to the possibility of a man purchasing 30 acres of land. Why should it be 30 acres? Moreover there cannot be any bona fide purchaser, as these persons are concerued. There was nothing to show that whole inam villages will be treated as estates. It is a question of fact to be decided by courts on the evidence let in. Therefore unless there is a decree of the court declaring whole village to be an estate or not, I do not think anybody can be said to be a bona fide purchaser. A bona fide purchaser is one who purchases the land with due care and attention. If he consults a lawyer, no lawyer will say ' you can purchase it.' Otherwise, I would consider him to be a liar and not a lawyer. Therefore I say there cannot be a bona fide purchase. My hon. Friend wants to put the bona fide purchaser in a better position than the inamdar himself. The purchaser cannot have better title than the seller himself. That is also opposed to principle.

" You say 30 acres; suppose a man has got 100 acres and ten sons. By partition of property these 100 acres will be divided among the ten sons and each man will have only 10 acres of land. Then are you going to say that the ryot who had occupancy right should be deprived of it, because the family of the inamdar divided the property? Can the law be more absurd than that, by the mere volition of the inamdar, the ryot should be deprived of the occupancy right? It does not stand to reason, that we should accept such a principle. I know there may be some hard cases; my personal sympathies go to these people; but I do not think that we can accept this principle and give room for a lot of litigation. The legislators here cannot accept that principle because it practically depends upon the volition of the inamdar, upon the act of partition by the members of the inamdar's family.

" The Hon. Member gave an instance; a man has got half an acre or so. We are not concerned here with the extent. There are permanently settled estates. A man can have 5 acres. Is he to be treated as a zamindar of a permanently settled estate? Why should such a person get special treatment, I do not see. Take the case of an inam

coming under sub-clause (*e*)—dormila inam; you cannot say the same thing with regard to such an estate also. When you divide, a person may own 50 cents or 10 cents of land. You can conceive of the same thing with regard to partible property. So far as inamdars in this Presidency are concerned, they were specially treated in the year 1908. In other Presidencies, in Bengal, in Bihar and Orissa, one cent of land is an estate. In Bengal they say it must have been registered by the Collector. In Orissa they say, it need not be registered: one cent is sufficient. We are not concerned with the extent at all. That is an irrelevant matter altogether. If you want to divide property on socialistic basis and if the Government becomes socialistic, then my friend may introduce socialistic principles, give people small extents of land and fix the minimum. But so long as the Government is not socialistic and so long as we are acting on the principles handed down to us from the time of Manu, I do not think the volition of the inamdar's family should deprive the ryot of his occupancy right. For these reasons this amendment must be opposed."

* The Hon. Sir CHARLES SOUTER:—" Sir, I think the arguments for and against have been very fully stated. Firstly I must oppose this amendment not only on the grounds stated by my hon. Friends, Messrs. Raman Menon and Patnaick but on other grounds also. There are obvious dangers if such amendments are introduced into the Act. Mr. Patnaick gave you the case of a man who possesses 100 acres of inam land which, even under the terms of the amendment, will be an inam; if the inamdar died, on the partition of 100 acres of inam his sons—each one of them—would obtain less than 30 acres; presumably under this amendment these areas will cease to be inams. Take the converse. Suppose *A* owns 30 acres of inam land; under this amendment, it will be excluded from the provisions of this Bill. Suppose *B* also possesses 30 acres of land: it will also be excluded under the provisions of the amendment. Suppose *A* buys *B*'s land; he will have 60 acres and these 60 acres will be excluded from the provisions of this Act. It may go on like this by genuine or benami transactions; then whole inam villages will not come under the provisions of this Act. Such a thing may happen, I do not think it is purely a theoretical idea. It is more than likely that such things will happen. On that ground I think this amendment should be opposed.

" I quite admit like Mr. Patnaick that there will be cases in which there will be genuine hardship to particular individuals. I think those cases on the whole will not be affected for this reason. Mr. Peddi Raju referred to the case of a man who has got small acres of land, 3, 4 or 5 acres. Now that land is cultivated by himself and by his family. So long as they do that, you do not cut away their rights; they are safeguarded; they will become inamdars of small estates and so long as they cultivate them, they will never pass to anybody else; they possess the kudivaram and they possess the melvaram. In a case like that, if a man

finds that he does not want to cultivate the land and gives it to somebody else or chooses to let it to the tenant why should he, on that ground, not come under the provisions of the Act? Suppose the land is cultivated by the tenant, why should not the tenant come under the provisions of this Act? On general grounds it seems to me that this amendment, while it might benefit small owners of land, on the whole will create more disturbance and inconvenience than if we accept the provision as it now stands. On these grounds I must oppose this amendment."

* Mr. P. PEDDI RAJU:—" I am sorry that I have not sufficiently made myself understood by the Hon. the Revenue Member. There seems to be a misapprehension in the arguments of the Hon. the Revenue Member. He said: supposing a man possessed 60 acres and he divides the property among two or three sons; such lands would be excluded from the provisions of this Act. Sir, it is not the original inamdar that I am concerned with. I refer to a man who purchases some land from the inamdar after the year 1908, not exceeding thirty acres. No such thing as division or anything else comes up in this case. 3–30 p.m.

" Another argument raised by my hon. Friend, Mr. Raman Menon and also by the Hon. the Revenue Member is this: supposing a man has been cultivating the land, then he will have all the rights in himself; but if he wants to go to another village on some other occupation and therefore has to let out his land, why not he be satisfied with the rent? My submission in regard to that is this: No doubt you can fix for him a rent ordinarily; but supposing I was in possession of the land in 1933 and am now; and I spend money on improving the land by constructing this and that, by manuring and by otherwise improving it; and supposing I let it out for a year. The result will be that I won't be able to get the result of all the improvements I made; I will have to go to a court and ask for an additional Re. 1. That is to say, I will have to spend a thousand rupees before I can expect to have a higher rent of a rupee.

" A third argument—which I never thought at least the Government would advance—was this: why not give the land to another man, why not you take the rent but give him the occupancy right? I will only ask him, Sir, this one quesion: Supposing the Hon. the Revenue Member has got some buildings in England; he has come here for a period of thirty years, and he has therefore leased out those buildings. I ask: why not give occupancy rights to the tenant there? That is the kind of argument which the Hon. the Revenue Member has advanced.

" Sir, we here are legislating for the people as custodians of their property. If you want to deprive them of their rights by this legislation, I am sorry we cannot consider ourselves as custodians of the interests of our own people.

" Again, as admitted by my hon. Friend, there is a large body of inamdars who hereafter will become landholders. I do not know whether the Government have considered the question of the liabilities imposed upon these landholders; for instance, every inamdar has to maintain an account, an amarkam account, a land-cess account, a local cess account, etc., and he has to furnish the accounts every three years to the Government. Do you expect an owner of one acre of land to maintain a number of accounts of his revenue . . ."

Sriman M. G. PATNAIK Mahasayo:—" No."

* Mr. P. PEDDI RAJU:—" I am very sorry my friend says ' No.' I know that every three or five years, the Collector calls upon every landholder to furnish accounts of his amarkam in order to fix the local cess. I know of cases where in a village which is mokhasa coming under clause (e), the Collector calls upon the village officer to insist on those people to produce their accounts—people having 20 acres or so, every three or five years. But these people never produce them, because they don't maintain these accounts. I know also that the Collector thinking that a man is getting an income of 10 or 12 bags, is charging about Rs. 4 an acre as local cess. There are several obligations imposed already by so many other Acts besides the Estates Land Act which compel the inamdars to prepare certain accounts, to produce them before officers, etc.; and I do not know if the Government have considered that view of the matter and have decided how to deal with such cases, or whether they are going to amend those other Acts accordingly.

" One other thing, Sir. My friend has been referring to private land, and I thought I satisfied him when I said that no land will come under private land. There are cases where labourers purchase the lands in order to invest their money on land. They cannot cultivate the land themselves. Suppose a labourer has saved Rs. 500 and he purchases half an acre of land; he may lease out the land and get some rent. I can say that in most of such cases covered by my amendment, you cannot find even a single scrap of paper to show what rent he is getting. So far as my district is concerned, except the main agraharamdars, all these people do not have any lease deed, registered or unregistered, and it is very difficult for them to show how much rent they got in 1933 or how many bags they got and all that. So, I submit, it is not likely that there will be a saving of litigation, but we will be actually forcing litigation and compelling people to go to a court hereafter, and this will be a fruitful source of litigation for another thirty years. It is not against any principle that I am proposing this amendment. I do not know whether my hon. Friends who have replied to me have had any personal knowledge of these inams and the difficulties to which these purchasers and small holders are put. We must be practical men and should not stop with talking theoretically. I would therefore appeal to the Hon. Member to accept this amendment."

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* The Hon. Sir CHARLES SOUTER:—" Just one point, Mr. President. My hon. Friend remarked that if I had properties in England and I came out for thirty years here, I would have to lease them out, and asked me what I would do. I may tell my hon. Friend that I might have a tenant farmer; but I cannot get him out of the land unless he refuses to pay rent or unless he ceases to cultivate the property properly."

The amendment was put and lost.

Mr. T. C. SRINIVASA AYYANGAR:—" I beg to move—

' *At the end of sub-clause (i) of clause and before the Explanation,* insert *the following proviso*—

" *Nothing in this sub-clause shall affect the inam lands of any person holding less than* 50 *acres in extent or of any person holding more than* 50 *acres but to the extent of* 50 *acres therein where such an inam was not an estate or part of an estate or has ceased to be such under the provisions of the Madras Estates Land Act of* 1908, *but became an estate or part of such an estate under the provisions of the Madras Estates Land (Third Amendment) Act,* 1936 ".' "

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know, Sir, for my information, whether in spite of the fact that we have already voted down the question of 30 acres, this question of 50 acres can be allowed now? "

* The Hon. the PRESIDENT:—" The hon. Member may note that it is only the second part of amendment No. 8 that covers Amendment No. 5 [a]; but that is not going to be discussed now. It is only the first part of it—which is quite different—that is now being moved."

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a 8 *Omit* sub-clause (ii) and explanation in sub-clause (i).

' At the end of sub-clause (i) of clause 2 and before the explanation, *insert* the following proviso:—

" Nothing in this sub-clause shall affect the inam lands of any person holding less than 50 acres in extent or of any person holding more than 50 acres but to the extent of 50 acres therein where such an inam was not an estate or part of an estate or has ceased to be such under the provisions of the Madras Estates Land Act of 1908, but became an estate or part of such an estate under the provisions of the Madras Estates Land (Third Amendment) Act, 1936 ".'

' At the end of sub-clause (i) of clause 2 and before the explanation, *insert* the following proviso:—

" Nothing in this sub-clause shall affect the inam lands not exceeding 30 acres in extent, *acquired for valuable consideration by an inamdar prior* to 1st November 1933, where such lands are situated in an inam village which is not an estate or has ceased to be an estate under the provisions of the Madras Estates Land Act of 1908 and which *has* become an estate or part of an estate under the provisions of the Madras Estates Land (Third Amendment) Act, 1936 ".'

* Mr. T. C. SRINIVASA AYYANGAR:—" I am very much obliged to you, Mr. President. But I may say this. Mr. Krishnayya Choudari stated in the Select Committee, that all those amendments which were exactly in the same phraseology and of the same substance as those I moved in 1934 to the then second Inams Bill should not be moved again in view of the fact that this very Council on an earlier occasion and in reference to another Bill disallowed them. Of course the Chairman ruled they were in order. Whatever might have been their fate,—and it could not have been different—still, technically, they are all movable, and it will certainly save time if we merely say ' for the reasons mentioned in my speech delivered two years ago in this Council, I support or oppose or move the propositions.' But I must give the House the respect due to it by stating why or wherefore I move the amendments. True, the present amendment is to a certain extent within the previous one; but the present amendment, in its scope and extent, is of a different sort, though there is a great deal of ideas in common. I will not repeat the arguments which have been already addressed with reference to it before this Council, and surely all the arguments which have been mentioned in support of that amendment may be taken as being part of the arguments urgable with reference to the motion that I desire now to place before the House. There are vast extents of country in Southern India which are occupied by zamindaris and within the zamindaris there are individual villages distributed over the whole extent. Recently, during the last sixty or seventy years, people who had gone abroad either for coolie work or for other small trades and other purposes, returned; they wanted to be not merely agriculturists but also to be something more. In all these cases, the only kind of property that was available to them for purchase was the inam properties which were within their means. Because no man, however rich he may be, can purchase a zamindari itself, as it is inalienable either by custom or by a later statutes. For very valuable consideration, portions and portions of these inam villages have gone into the hands of agricultural and non-agricultural families who have settled in the village and who to-day own small fractions of them. In all such cases it may not be possible for such inamdar himself to cultivate land. For example, sometimes a man owning thirty or forty or fifty acres dies and his widow takes them by inheritance. She does not cultivate the land, even if she belongs to an agricultural family, and naturally she is bound to let it to tenants. Sometimes for good reasons they have to go to another place during the agricultural season, and often times they are bound to let out the land for cultivation. It is impossible that in such cases even *bona fide* agriculturists can continuously cultivate their lands. And look at the definition of private land which comes later, the second and third categories; the second covers lands which prior to 1st July 1908 were continuously cultivated either by the inamdar or by hired labourers, and the third covers those which

were continuously for a period of twelve years prior to 1st November 1933 cultivated either directly or through labourers. Even *bona fide* agriculturists cannot in many cases satisfy those requirements.

"Then there is the fourth class of people who paid hard cash and obtained it. They are given the liberty to stay on the land, enjoy it for 12 years and then take leave of the land as kudivaramdar and thereafter they must be a new kind of zamindars the inamdar-zamindars. 3-45 p.m.

"Now, Sir, it will be inflicting an awful hardship upon these people to be brought within the Act, as I said, with all these difficulties. I, therefore, move that my amendment be accepted. I do not think I need detain the Council with any very elaborate arguments."

Mr. K. A. NACHIYAPPA GOUNDER:—'I second it, Sir."

* The Hon. Sir CHARLES SOUTER:—"Sir, the arguments against this amendment seem to be essentially the same as those against the amendment moved by Mr. Peddi Raju. I do not think it is necessary for me to say more than what I said on that occasion. Here, increasing the area from 30 to 50 acres makes the amendment all the more dangerous. On the grounds I urged before, I must oppose this amendment."

The amendment was put and lost.

Sub-clause (ii).

Mr. T. C. SRINIVASA AYYANGAR:—"With your permission, Mr. President, I beg to move amendments Nos. 9 and 10 together:—

'*In clause 2, sub-clause (ii) (b) (ii),* omit *the word,* "as private land" *in line 2 and also the words* "*provided that the landholder has retained the kudivaram ever since and has not converted the land into ryoti land*;"

'*In clause 2, sub-clause (ii) (b) (iii),* omit *the word,* "*Provided that the landholder has retained the kudivaram ever since and has not converted the land into ryoti land*".'

"My reason for moving the amendments is this: We are dealing with a class of property which are not estates till now and which will become estates only hereafter. The expression 'private land' was unknown in the large majority of inams. There are no doubt some inam villages where ancient pannai lands existed, but in the vast majority of them the conception of 'land' being private in contrast with land being a ryoti land, was not known. The idea of one class of lands, occupied or unoccupied, known as 'private land' with larger rights in the landholders as opposed to the conventional public land known as the 'ryoti land', occupied or unoccupied, but available for occupation by ryots for agriculture, carrying certain incidents of tenure, etc., was introduced by Act I of 1908 with reference to estates to which the said Act applied. That being so, to introduce those

expressions in a definition relating to villages which would become estates only hereafter, may not be quite correct. Therefore, Sir, I move that the words mentioned in my amendment, be omitted."

Mr. K. A. NACHIYAPPA GOUNDER:—"I second the amendment, Sir."

* The Hon. Sir CHARLES SOUTER:—"Sir, this amendment seems to me one of those moved in 1934 and we also considered it in Select Committee. I cannot see why the words 'private land' should be omitted. They are in the old Act and will only apply to lands treated as private land since Act I of 1908 was passed. What is the particular difficulty or what is the particular advantage in accepting this amendment, I cannot see. If land has been private land or has not been converted into ryoti land and ceases to be private land or ryoti land, I cannot see the object of this amendment, Sir. As I say, the words 'ryoti land' have been in the old Act and if the same land has been converted into private land, why should we not take that into consideration I cannot see any reason. I think this amendment is unnecessary and I cannot see any reason for accepting it. I must oppose it."

Mr. T. C. SRINIVASA AYYANGAR:—"Sir, my object is, the expressions private land, old waste, ryoti land, are all creations of a statutory enactment called the Estates Land Act, 1908. Prior to it, these legal expressions connoting the types of property were not in existence. That being so, when we want to define certain categories of lands for reservation to the inamdars in both varams with reference to their enjoyment by the inamdar for a continuous period of 12 years previously, i.e., prior to 1933 and even prior to 1908, the presence of these expressions may lead to difficulties in the matter of interpretation, construction, weighing evidence in courts of law and will also create confusion. I will therefore appeal to the Hon. the Revenue Member to eliminate them so that even the trifling benefits which are given under this extraordinary provision of the bill may not be whittled away in courts of law."

The amendments were put and lost.

Mr. T. C. SRINIVASA AYYANGAR:—"Sir, I beg to move the following amendment:—

'Substitute *the following for item (b) (iv)*:—

"*Any land in an estate within the meaning of sub-clause (d) of clause 2 of section 3, the entire kudivaram interest in which has vested or vests in the inamdar before or after the commencement of this Act, provided that the* ***surrender or*** *abandonment of land by a ryot shall not, unless followed by possession for a continuous period of 12 years have the effect of vesting the kudivaram interest in the land in the inamdar*".'

"Here, Sir, I take the definition bodily from the Government Bill (No. 12 of 1931), i.e., the original Estates Land Act (Amendment) Bill

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introduced by Sir Archibald Campbell in January 1932. I mentioned this morning in another connection, that the Government were collecting materials, investigating the matter by committee after committee for a decade and over, and that the policy of the Government as disclosed by the Bill of 1931 was clear, viz., to respect all the rights of the inamdars except only in a small limited category, that is, to recognise all the rights—both the varams wherever they have been found to be vested. The only matter in which they departed slightly from that policy was that in the case of lands surrendered or abandoned by a ryot and thereby became the inamdar's property, the inamdar shall not be allowed to treat them as private lands unless it has been followed by a continuous possession for 12 years. That is, all lands inherited by him, all lands for which he paid value, immemorial pannai lands and all those lands where he held both varams were recognised. In cases in which the ryot simply did not want it and abandoned it or neglected it and when the inamdar took up those lands, a condition was put in that unless he enjoyed the land by being in continuous possession for 12 years, he cannot have it. Now, there is really no occasion or justification for giving up that idea and taking away the kudivaram from the landholder except in the very few cases where the inamdar also happened to be a cultivating ryot at certain stated periods. That is the case in the present Bill.

" Again, Sir, a great deal of heart-burning exists all over the country. That is why, if this is restored, then much of the opposition to the Bill felt in the country and the difficulties felt by the people concerned will diminish and also the loss of just rights by the inamdars will be prevented. Therefore, I move that this amendment be accepted."

Mr. K. A. NACHIYAPPA GOUNDER:—" I second it, Sir."

* Sriman M. G. PATNAIK Mahasayo:—" Sir, the present sub-clause (iv) deals with 'land the entire kudivaram in which was acquired by the landholder before the 1st day of November 1933 for valuable consideration from a person owning the kudivaram but not the melvaram, provided that the landholder has retained the kudivaram ever since and has not converted the land into ryoti land and provided further that, where the kudivaram was acquired at a sale for arrears of rent, the land shall not be deemed to be private land.' Thus, Sir, these are the two cases of land dealt with here. In regard to the question of succession or inheritance, that is dealt with in the Act of 1934, i.e., clause (4) of section 8 of the Act runs like this:—

'Where after the passing of this Act, the interest of the ryot in the holding passes to the landholder by inheritance, the landholder shall notwithstanding anything contained in this Act have the right for a period of twelve years from the date of succession, of admitting any person to the possession of such land on such terms as may be agreed upon between them.'

" Therefore, Sir, the question of succession has been already provided for, and now clause (4) of section 8 is not sought to be amended.

(Mr. T. C. Srinivasa Ayyangar: What about those not provided for?) My hon. Friend agrees to surrender and abandonment referred to in clauses (2) and (3). Again, so far as valuable consideration is concerned, it is also provided for. The question is, when a man purchases land from a person who owns both the varams, he cannot hold it as a kudivaramdar, but must hold it as a melvaramdar. If this amendment is sought to convey that idea it would be contrary to the provisions of section 8 (1). So that it cannot be accepted. Therefore, Sir, I am afraid this amendment cannot be accepted."

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The Hon. Sir CHARLES SOUTER:—"I have nothing to add to the conclusive answer to the amendment given by my hon. Friend Mr. Patnaik."

* Mr. T. C. SRINIVASA AYYANGAR:—"Sir, I very much admire the short, sweet and crisp answer of my hon. Friend. But I am afraid that my hon. Friend the expert member has merely skirted the matter and did not deal with it. Does he say that what all come within this definition in my amendment have come within the definitions of the four categories of private land that are provided in the Bill. I have put a straight question and I want a straight answer. I want to know whether what all is contained in the amendment which I moved is covered in what exists in the Bill. If not, the expert member has not answered my question at all. During the consideration of the second Bill—I believe Mr. Patnaik was also a member of the Select Committee—a similar amendment was moved by my hon. Friend Mr. Venkatarama Ayyar. The late Diwan Bahadur B. Muniswami Nayudu and Mr. Patnaik among others opposed the amendment. The hon. Sir Archibald Campbell said that in order to safeguard the rights of the poor ryot, he wanted to make the Bill as simple and as clear as possible in the interests of the ryot. They would have to go as far as Mr. Venkatarama Ayyar suggested if they wanted to cover every case in which the inamdar has got a right. They could not do that without practically exposing the ryot to loss. In his view unless the inamdars' rights are taken away the rights of the ryots cannot be protected and he appealed to Manu. My hon. Friend has also been unearthing reasons for the purpose of depriving the rights of inamdars. The question is that the inamdars have undoubted rights and I want to know if you have provided for them. The theory on which the second Bill was based was very peculiar. But all those things have been set at rest by the intervention of the Viceroy who said that rights were being taken away by the Bill and that if that should be done, the inamdars must be compensated. The rights do exist; but whether compensation would be an adequate remedy is another matter. To an inamdar owning a few acres of land, and possessing melvaram and kudivaram as a sole property, the land would be much more valuable and useful than any compensation that

may be given to him under the new provisions. Therefore wherever the right has been found to vest it must be protected. This was the considered policy of the Government and it was their policy when they introduced the Bill in January 1932. It continued until an amendment in the open Council was accepted by the Government in November 1933. I say that rights which undoubtedly exist ought to be provided for."

The amendment was put and lost.

* Mr. P. PEDDI RAJU:—" Sir, I move—

' *In item* (*b*) (*iv*) *in lines* 5 *and* 6, omit *the words* " *but not the melvaram.*" '

" I would suggest to the House that the clause as it stands is intended to benefit the original inamdar but not a third person. If an inamdar purchased for valuable consideration some interests of the tenants before 1933 and retained the kudivaram, the land will be considered as his private land. I do not see why the original land-holder who has purchased the interest from his tenants is to be protected but not the outsider who purchases both the varams from the inamdar. At the time of the sale, there was no doubt about the devolution of rights and interests; if there was, nobody would pay money. Such being the case, I would appeal to the Hon. the Revenue Member to accept this innocuous amendment. This is intended to benefit third parties and my submission is that the Hon. the Revenue Member should accept the amendment."

Mr. K. A. NACHIYAPPA GOUNDER:—" I second it."

* The Hon. the PRESIDENT:—" Would it not be convenient to take up amendment No. 13, so that both these amendments may be discussed and voted upon? "

Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, I move—

' *In item (iv)* omit *the words* " *but not the melvaram provided that the landholder has retained the kudivaram ever since and has not converted the land into ryoti land and* " *occurring in lines* 5 *to* 9.'

I do not think I need repeat all the arguments of my hon. Friend, Mr. Peddi Raju."

Rao Bahadur P. C. MUTHU CHETTIYAR:—" I second it."

* The Hon. Sir CHARLES SOUTER:—" Mr. President, I oppose the amendments for the same reasons adduced by Sir Archibald Campbell. They are against the general principles of the Bill. When a land-holder has acquired the kudivaram from a tenant for valuable consideration and then sells both varams to some one else, of course that person steps into his shoes and his rights are preserved. But we cannot admit that the landholder should be entitled to acquire the kudivaram in any other way. Otherwise the whole scheme of the Bill falls through. On that ground, I oppose the amendment."

Mr. P. PEDDI RAJU:—" I am sorry I have not made myself understood by the Hon. the Revenue Member. If a landholder purchases the kudivaram from a person not owning the melvaram thereof, his right is protected. But if he purchased both varams from a person who has been recognized to possess both the varams, he is not protected. It will be a pity if the rights thus acquired are not protected. I request that the Hon. the Revenue Member may consult the Legal Officers of the Government on the point."

The Hon. Sir CHARLES SOUTER:—" I cannot see any difficulty in the matter myself."

Mr. P. Peddi Raju's amendment, i.e.—

In item (iv) in lines 5 and 6, omit *the words ' but not the melvaram '*

was put and lost.

This amendment having been negatived, the amendment of Mr. T. C. Srinivasa Ayyangar was not put.

* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, Sir, I move—

' *In item (iv)* for *the words " unless it is proved to have been cultivated by the landholder himself by his own servants or by hired labour with his own or hired stock " in lines 12 to 16,* substitute *the words " unless it was followed by possession."* '

This is a matter of considerable importance. You will find that the only way in which the kudivaram right of an inamdar is protected is *under the provisions contained in the definition of 'private land.'* The first category is ancient pannai land which will be only in a limited number of villages particularly in one or two zamindaris in the south. The second and third cases refer to cases of cultivation as private land for a continuous period of twelve years before two particular dates, i.e., 1st July 1908 and 1st November 1933. The third category is in respect of cases of purchase for valuable consideration. The clause contains three ideas: the one is where the land the entire kudivaram of which was acquired by the landholder before 1st November 1933 for valuable consideration from a person owning the kudivaram but not the melvaram provided the landholder retained the kudivaram for himself and has not converted the land into ryoti land. That is one. Another is where such interest is acquired by surrender or abandonment of the land by the ryot or by purchase at a sale for arrears of rent, and the land is proved to have been cultivated as private land by the landholder himself, by his own servants or by hired labour, with his own or hired stock, for a continuous period of twelve years since the acquisition of the land. This category involves cases where the land acquired by the inamdar need not be necessarily cultivated by himself but may be let to other persons. Whereas in one class, direct cultivation and letting are recognized, why should they not be

4-15 p.m.

in another class, viz., the class where acquisition was in sale for arrears of rent? I do not see the need for this distinction. By sale for arrears of rent is it intended to refer to cases under the special provisions of the Act for summary process or sale for arrears in execution of decrees obtained under section 77 also? Why should that be? Is it not for consideration that a landlord purchasing in these sales pays court-fees, etc., in obtaining decrees. He has to spend very good money after very bad money. If he has acquired the land by purchase in court sales, why should he be compelled to cultivate it himself? There is no logic or advantage to any party. So I commend my amendment for the acceptance of the House."

* Mr. P. PEDDI RAJU:—"I second this amendment. You are aware, Sir, the word agraharam in Telugu means it is kept waste. So, Sir, the agraharamdar purchases land and is not permitted to use it himself or let it to anybody. In Telugu proverb agraharam means waste and it will become true if this amendment is not accepted."

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, the distinction between the purchase for arrears of revenue and purchase in payment of cash has been made in this Act from the very beginning. We find the old clause (4) of section 8 runs like this:—

> '*In cases where the interest of the ryot in the holding has passed to the landholder by transfer for valuable consideration before the passing of this Act otherwise than at a sale for arrears of rent, or has passed by inheritance the landholder shall have the right.*'

"The Bill simply follows the provision of clause (4) of section 8 of the Act. It is nothing new at all. This has been so all along and it still stands. There is no reason why it should be changed. As far as possible in this Bill an attempt is made to assimilate the position of the inamdars to that of the zamindars. Then with regard to possession it is a very wide term. It may be possession even of a tenant. The intention is that the inamdar himself must cultivate. The cultivator's right is recognized. Therefore the tenant may be in possession. Receipt of rent is also possession. It is to show that it is not intended these words are used. So the ideas are quite clear and it won't be proper to widen the scope of private land. Already the definition of private land has been widened considerably just to compensate the inamdars for the error committed in 1908. They were entitled to certain rights. Because of the error in 1908 compensation has to be made in conformity with the wishes of the Governor-General. With regard to inams which come under the Estates Land Act compensation is provided by way of widening the definition of private land. In regard to other cases, of course, actual compensation will have to be paid. Provision has been made for that. That is the scheme of the Bill and I think it is quite fair though it is not quite fair to the tenant

in view of the error committed in 1908. Such compensation has to be given and there is absolutely no reason why the inamdar should think of getting more benefits to the prejudice of the ryots."

* The Hon. Sir CHARLES SOUTER:—" I have nothing to add to what Mr. Patnaik has said. It seems to me that to substitute possession for cultivation will make the scope under which land can become private land far too wide. It is obviously very dangerous. I think myself that this amendment which has been rejected twice already should not be accepted now."

The amendment was put and lost.

* Mr. P. PEDDI RAJU:—" I beg to move—

'*After item* (*b*) (*iv*), add *the following as new items* (*v*) *and* (*vi*):—

" (*v*) *That the land has been acquired by the landholder for valuable consideration before the first day of November* 1933 *and since the Madras Estates Land Act of* 1908 *from a person entitled to both varams.*

(*vi*) *Any lands in an estate within the meaning of sub-clause* (*d*) *of clause* (2) *of section* 3 *in respect of which the landholder has before the first day of November* 1933 *obtained a decree or order of a competent civil court establishing that the tenant has no occupancy right in such land before the commencement of the Madras Estates Land* (*Amendment*) *Act,* 1936 ".'

" Sir, there are two separate sub-clauses sought to be added. I may be permitted to deal with these separately. The first amendment is regarding lands that have been acquired for valuable consideration before the first day of November 1933, that is, before we thought of amending the Estates Land Act. These lands ought to be directed to be treated as private lands. This morning I have been arguing the case to exclude them from the Act."

Sriman M. G. PATNAIK Mahasayo:—" On a point of order. It means nothing more than amendment No. 12 and first part of 13 which were negatived. So far as (v) is concerned it is in no way different."

* Mr. P. PEDDI RAJU:—" Sir, clause (iv) and the amendment I am moving have got a long history. What I wanted to say generally is to treat all land as private land which has been purchased between 1908 and 1933. As I said my definition means this. It is practically another sort of argument to exclude all those lands which have been purchased after 1908 which are considered not to be estates under the existing Act of 1908 and I am saying that all these purchases subsequent to this must be treated as private land. I can understand my friend objecting to exclusion from the operation of the Act. It is different from private land. It is a separate thing because it confines

itself to things purchased after 1908. So I think I can go on. My previous amendment was opposed when it was sought to exclude from the operation of the Act inam areas less than 30 acres. What I am now saying is 'Treat this as private land.' It amounts to saying not the whole agraharam but small bits of land purchased by people subsequently from the inamdar. Under the Act of 1908 certain inams have become estates and certain have not become estates. Even in the case of those estates on account of the exception to section 8 lands which have been abandoned or surrendered or purchased by the inamdar have ceased to be parts of the estate. So that subsequent to 1908 on account of the operation of the existing Act certain lands have become vested in one person either by means of court decisions or otherwise and the inamdar has got both varams and people have purchased them for valuable consideration and such lands have become excluded and treated as private land. This is the first part. The second part is where the parties have gone to courts and spent lakhs in litigation and obtained some sort of decree either in a High Court or in any other court. Having got those rights by those decisions it is unjust to say by means of a statute that the rights you have acquired are not valid.

"Such a piece of legislation is simply anomalous. I would suggest to the Hon. the Revenue Member that we should not interfere with the decisions of courts which have been obtained after enormous cost to the litigant. So, Sir, I submit to this House to accept these two amendments to treat these two classes of lands as private lands." 4 p

The amendment was duly seconded.

Mr. T. C. SRINIVASA AYYANGAR:—"With your permission, Sir, may I move an amendment to this proposition of my friend, Mr. Peddi Raju, embodying the words of my amendment coming later on? Kindly look at amendment No. 16, item (v), the wording of which I want to introduce. Then, it will be an amplification of the first of the two items moved by my hon. Friend, Mr. Peddi Raju. For the first item of the amendment moved, viz., to item (v), it would be an appropriate amendment."

* The Hon. the PRESIDENT:—"The first item of amendment No. 15 is the same as amendment No. 16 (v) (*b*)."

Mr. T. C. SRINIVASA AYYANGAR:—"I am referring to amendment No. 16 (v) (*a*). With your permission, Sir, I beg to move that in the amendment of Mr. Peddi Raju, proposing to add—

> '"*that the land has been acquired by the landholder for valuable consideration before the* 1st *day of November* 1933 *and since the Madras Estates Land Act of* 1908 *from a person entitled to both varams,*" *the words* "*and since the Madras Estates Land Act of* 1908" *be omitted.*'

"I need hardly add any reasons in support of my amendment; for the very reasons he gave for the main amendment are also applicable to

my amendment, and the relief the inamdar is entitled to claim is also claimable for the purpose for which I move my amendment."

The amendment was duly seconded.

* Sriman M. G. PATNAIK Mahasayo:—" Sir, I need not say very much on this amendment, as the whole discussion on the other amendments Nos. 12 and 13 covers this also. Of course, my friends say that this is different from that. But I cannot see how it is different. Item (iv) of sub-clause (*b*) is more restricted, and there it has been said that the same conditions are laid on 'land the entire kudivaram in which was acquired by the landholder before the first day of November 1933 for valuable consideration from a person owning the kudivaram but not the melvaram.' They want now to take away that restriction by passing this amendment. There also they wanted to remove the same restrictions, which the House did not allow them to carry. I do not see how now they can call it a new clause, because if item (v) were to be accepted, this part of item (iv) would become unnecessary. Therefore, it is not altogether different from the previous attempt. I hope their idea seems to be to widen the definition of private land again. I think the principle of the Estates Land Act is that the scope of the definition of private land should not be very much widened. As far as possible, the definition has been widened already to compensate the inamdars, and therefore any further attempt to widen it will cause great injury to the ryots and will offend against public policy also. (Mr. T. C. Srinivasa Ayyangar: 'Will he kindly state what public policy it is?') The public policy has already been laid down by the Government of India. I need not go into it now, but I shall have to refer to it later on.

" With regard to the other amendment of Mr. Peddi Raju, viz., item (vi), that is covered by clause 4, sub-clause (iii) of the Bill. Under this, the inamdar who has obtained a decree declaring his right to kudivaram in the land by a court of law is allowed to lease it as he pleased for a period of twelve years. It has been stated there. So this amendment ought properly to come as an amendment to that. Instead of twelve years, my friends want to have absolute right. Anyhow, we may consider that point here also. The Bill has treated the inamdars very generously compared to the zamindars. In Act I of 1908, we find that when such a decree was obtained by a zamindar or other landholder, except the holder of an inam estate, all such landholders were allowed to treat it as old waste and nothing more than that. If a person paid two and a half times the rent lawfully payable on that land, he can acquire occupancy right. That is how it was dealt with under the old Act. The definition of 'old waste' according to section 3, clause (7), is: '"old waste" means . . . and includes ryoti land in respect of which before the passing of this Act the landholder has obtained a final decree of a competent civil court establishing that the ryot has no occupancy right and so long as no right of occupancy has been

acquired subsequent to the date of such decree.' This clause (7) applies to inamdars also because no distinction is made here in the case of old waste in respect of inam land, and 'old waste' means and includes 'any land in an estate which, not being private land . . . has at the time of any letting by the landholder after the passing of this Act, remained without any occupancy rights being held therein at any time . . .' Therefore, it includes ryoti land in respect of estates. That means this clause also applied to inamdar-landholders. Therefore, my friends want the scope of that section to be widened. When the inamdar in 1908 could not have even 12 years' possession and when the ryot under him in respect of such land could acquire occupancy right on payment of two and a half times the rent legally payable thereon, now under the Bill the inamdar is allowed to retain that land on which he has obtained a decree for a period of 12 years. So, it is distinctly an advantage to the inamdar over the benefit the landholder had under Act I of 1908. Thus the inamdar has been treated very generously. I think this amendment is quite unjust to the ryots. But still on behalf of the inamdars it is contended that that land should be treated as private land. That means the inamdar should have absolutely everything for himself. That is very, very unjust to the ryot, and it should not be done. The principle of this amendment, as I said already, is not different from the one already discussed. So, on principle all these amendments should be opposed."

Rao Bahadur P. C. MUTHU CHETTIYAR spoke in Tamil and the following is an English summary of the speech:—

"After the passing of the Estates Land Act of 1908, some thirty years have elapsed, and who could expect that after such a long time this infectious disease to take away one's rights would come in? Nobody could dream that Mr. Muniswami Nayudu would bring in an amendment in 1933 to take away those rights. A man would have acquired land for valuable consideration in those days without dreaming what will happen to it later on. Also a man would have gone to the court, paid the stamp fees, vakil fees, etc., and obtained a decree in his favour. In all those cases, are you going to take away the rights of the man now? Is it just, is it equitable? Is this thing also allowed by the Viceroy's decision? You say you are giving some compensation. Where is the compensation when you are taking away one's rights? Is this sort of expropriation sanctioned by Manu Dharma or by any dictum of Parasara? I have been saying this Bill is confiscatory. So I make a very strong appeal to the Hon. the Revenue Member, who has a very generous heart. He himself would have held judicial position and awarded decrees. Are such decrees of judges in courts of law and *bona fide* purchase of land to be set at nought now? Even a thief would 4.4 not rob a man of his personal belongings when he is appealed to. He p.m. will simply let him go and even threaten to thrash him if he disobeyed. I would request my hon. Friend, Mr. T. C. Srinivasa Ayyangar, to properly represent the position to the Hon. the Revenue Member and

if he does so, I have no doubt, he will yield. If only my hon Friend, Mr. Srinivasa Ayyangar, would open the eyes of the Hon. Member to the fact that people have all along been expecting to get compensation as under the Land Acquisition Act, the kind Gentleman that he is, he will surely drop this section altogether."

* The Hon. Sir CHARLES SOUTER:—" Mr. President, Sir, it seems to me that the arguments put forward on this occasion are the same as those put forward on the previous occasion when this Bill was under consideration. I do not see any difference in principle between the amendment then put forward and the amendments now moved. The hon. Movers want by these amendments that the lands coming under this category shall be kept on as private lands on the ground that the tenants are given more than what at present they have under the Act of 1908. It seems to me that these amendments go much too far. This question was argued fully in 1934 and the same objections were raised against them. On that ground I oppose both the amendments."

* Mr. P. PEDDI RAJU:—" I admit that these amendments are practically the same as those moved in 1934. On the former occasion when I moved my amendments the Government said that they had great sympathy for the people but that as the amendments went against the principle they must oppose it. Now, I say if they have any sympathy for the people who have spent all their moneys on these lands, they must accept these amendments."

* The Hon. the PRESIDENT:—" I will now put the motion to the vote of the House. The question is—

' *In item* (*v*) *of Mr. Peddi Raju's amendment, in line* 3, omit *the words* " *and since the Madras Estates Land Act of* 1908 " '."

The amendment was put and lost.

* The Hon. the PRESIDENT:—" I will now put the two items to the vote of the House. The question is—

' After item (*b*) (iv) *add* the following as new items (v) and (vi):—

" (v) *That the land has been acquired by the landholder for valuable consideration before the* 1*st day of November* 1933 *and since the Madras Estates Land Act of* 1908 *from a person entitled to both varams;*

(vi) *Any lands in an estate within the meaning of sub-clause* (*d*) *of clause* (2) *of section* 3 *in respect of which the landholder has before the* 1*st day of November* 1933 *obtained a decree or order of a competent civil court establishing that the tenant has no occupancy right in such land before the commencement of the Madras Estates Land* (*Amendment*) *Act,* 1936." ' "

The amendment was put and lost.

* The Hon. the PRESIDENT:—" We will take the other amendments to-morrow."

The House then adjourned to meet again at 11 a.m. the next day.

III.—PAPERS LAID ON THE TABLE OF THE HOUSE.

[a]1 *Notification, dated* 14*th August* 1936, *regarding supersession of the Guntur Municipal Council for a period of two years with effect from* 25*th August* 1936.

[b]2 *Note, dated* 20*th August* 1936, *from the Revenue Department regarding final action taken on a resolution, as promised in the statement of action taken on resolutions passed during the Fifth Session of the Fourth Legislative Council, which was laid on the table on the* 5*th August* 1935.

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

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[a] Printed as Appendix VII on page 503 infra.

[b] Printed as Appendix VIII on pages 503-504 infra.

APPENDIX I.

[Vide answer to question No. 173 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st August 1936, page 428 supra.]

G.O. Ms. No. 2822, P.H., dated 30th October 1935.

In the present state of provincial finances the Government regret that they are unable to sanction any grants during 1936–37 for medical buildings.

(By order of the Government, Ministry of Education and Excise)

R. SUBBAYYA,
Joint Secretary to Government.

APPENDIX II.

[Vide answer to question No. 185 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st August 1936, page 434 supra.]

Statement showing the municipalities in which Deputy Collectors are working as Commissioners with their pay, etc., as on 1st August 1936.

Name of the municipality.	Name of the Commissioner.	Pay.	Special pay.	Conveyance allowance.	Normal income.
		RS.	RS.	RS.	RS.
Coimbatore ..	E. H. S. Abraham ..	460	100	40	5,74,613
Ootacamund ..	S. V. James	500	100	40	5,11,567
Trichinopoly ..	K. Rama Varma Raja..	600	100	40	6,79,399

APPENDIX III.

[Vide answer to question No. 187 asked by Mr. G. Simhachalam Pantulu at the meeting of the Legislative Council held on the 31st August 1936, page 436 supra.]

Letter from the Commissioner, Narasaraopet Municipality, R.C. No. 136 *Gl./N.M. of* 1936, *dated* 6*th July* 1936.

[Budget Estimate—Narasaraopet Municipal Council—Delay in submission—Explanation submitted.]

Adverting to Government Memorandum No. 20103-1/B-2, dated 15th June 1936, I have the honour to submit that the Budget Estimate of the Council for 1936–37 was prepared by me early in January 1936. I requested the chairman to call for a meeting of the council for discussing the budget. He promised to convene the meeting but could not till 31st January 1936 and even on that date only an urgent meeting for passing the annual notifications regarding the levy of licence fees, etc., was convened. The budget estimate could not be included in

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the agenda for the meeting as some of the members including the chairman and vice-chairman were contesting candidates in the elections for the Ongole District Board which came off on 6th February 1936. The next meeting of the council was convened only on 17th February 1936 and at that meeting the budget estimate was referred to the Finance Committee for scrutiny and submission. The vice-chairman was the President of the Finance and Education Committees. As he was also returned as a member for the District Board, Ongole, he could not spare time to convene a meeting of the committee, though I impressed upon him the urgency of the matter. He promised to convene the meeting of the committee before 27th February 1936 and asked me to include the subject in the agenda issued for the meeting held on that date. Relying on his promise, I included the subject but as the sub-committee could not meet and submit its report on that date the subject was postponed in Resolution No. 366, dated 27th February 1936, vide my letter No. S.C. 136 Gl./N.M. of 1936 addressed to the Government on 20th February 1936 in reply to Government Memorandum No. 4783-A-1/B-2, L. & M., dated 15th February 1936.

The next meeting of the council was convened only on 26th March 1936. Just at this time the council was requested to abolish one superfluous post in the secondary school and to fix the personal allowances due to the staff in the secondary school. Though these qnestions have been before the council for a long time past no decisions could be arrived at and without a decision in this behalf, the council could not find a way to pass the budget. The subject was therefore again postponed in Resolution No. 368, dated 26th March 1936. The election of the President of the Ongole District Board came off on 30th March 1936 and no meeting could be convened before that time. The chairman could convene the next meeting of the council only on 6th April 1936 and on that date the budget was returned to the Finance Committee in Resolution No. 3, dated 6th April 1936, for resubmission with its views regarding the grant of personal allowances to the teaching staff in the secondary school and certain other proposals regarding the public health staff suggested on the recommendation of the District Health Officer. The committee resubmitted the budget with its remarks on 8th April 1936 for which date the meeting of the council also stood posted. In Resolution No. 14, dated 8th April 1936, the council again returned the budget for representation with reference to its Resolution No. 13, dated 8th April 1936.

On 10th April 1936, I again prepared the budget and sent it to the President of the Finance Committee with an office note. Since a meeting of the Finance Committee could not be convened the subject was directly placed before the council with my office note and with that of the chairman, dated 27th April 1936, and in Council's Resolution No. 16, dated 27th April 1936, it was approved.

After the budget was sanctioned by the council on 27th April 1936 Mr. R. Chandramowli, Vice-Chairman and President of the Finance Committee and Education Committee, submitted his dissent and for offering his remarks to the Collector, the chairman called for the whole

file and the same was not returned till 6th May 1936. The audit of the accounts of the council was in progress from 15th April 1936 to 5th May 1936 and the whole staff was busy with it. By the time the budget file was returned to the office on 7th May 1936, the accountant in the office went on leave and for want of a qualified hand the post was kept vacant. The manager was therefore entrusted with the business and he completed the office copies by 10th May 1936. They were fair copied on 11th May 1936. By this time the chairman left the station and I waited for a couple of days to see if he would return. As the date of his return could not definitely be ascertained, I submitted an advance copy of the budget on 14th May 1936 to the Government to save delay. The chairman returned to the station on 25th May 1936 and on 26th May 1936, I had the original letter countersigned by him and submitted the same to the Government.

In view of the foregoing, I submit, that I took all necessary steps to get the budget passed by the council in time and that circumstances beyond my control prevented me from submitting the same in time to the Government.

Appendix IV.

[Vide answer to question No. 195 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st August 1936, page 440 supra.]

G.O. Ms. No. 832 I. dated 30th March 1936.

Read—the following paper:—

From the Chief Engineer (Irrigation), No. 664/36-B-1, dated 2nd March 1936.

Order—Ms. No. 832 I., dated 30th March 1936.

The Government agree with the Chief Engineer for Irrigation that admission to the Stanley Dam, and Lady Beatrix Stanley Park and the Pavilion on the hill overlooking the dam should be regulated by the issue of tickets, and approve the draft rules drawn up for the purpose. They also approve the proposal to auction the right of selling tickets for three months in the first instance, the period being increased at the next auction to six months or one year at the discretion of the Executive Engineer, Salem Division.

(By order of the Governor in Council)

W. Scott Brown,
Secretary to Government.

To the Chief Engineer for Irrigation.
,, Accountant-General, Madras.
Finance Department.

ANNEXURE.

Draft rules for admission of the public to the Mettur Dam, Park and Pavilion.

1. The roadway over the Mettur Stanley Dam, the Lady Beatrix Stanley Park and the Pavilion on the hill overlooking the Dam will be open to the Public daily between the hours of 7 a.m. and 7 p.m. except on days on which these are notified to be closed for admission either on account of any repairs or for any other reason.

2. Tickets of admission to all the above places, available for the day of issue only, may be purchased at the gates of the Dam and the Park and at the foot of the Pavilion hill.

Children under 12 years of age, if accompanied by adults, will be admitted free of charge.

3. Motor-cars carrying visitors will be admitted to the Dam, Park and Pavilion hill at a charge of six annas per car including passengers for whom separate tickets will be issued. Motor buses will not be allowed in these areas.

4. Tickets are not transferable and must be shown on demand to any official on duty.

5. Motor cycles, bicycles and perambulators will not be admitted to the Dam or the Pavilion hill, but may be taken into the Park free of charge.

6. Cycling in the Upper Park is prohibited.

7. Motor cars will be admitted to the Dam at the eastern or left flank entrance only.

8. Cars halting on the Dam draw in to the left side and leave ample roadway for other cars and pedestrians to pass.

9. The speed limit on the Dam and Pavilion ghat road is ten miles per hour, and drivers are warned to proceed with the utmost caution.

10. Visitors are requested to keep off the grass in the Park and gardens.

11. Any person found picking flowers in the Park or Gardens, damaging or defacing trees, walls, inscriptions, machinery or any part of the Dam, Pavilion, Park or other Government property is liable to prosecution.

12. The Government will not hold themselves responsible for any accident or injury which may befall any visitor to the works through any cause, whatsoever.

13. The acceptance of a fee or gratuity of any kind by a Government servant is strictly prohibited.

14. Any incivility on the part of a Government servant should be reported to the Subdivisional Officer, Stanley Dam.

15. Visitors crossing the Dam are warned that they must keep to the roadway only and must on no account climb the parapets or stand in the gangways at the top of the steps on the rear face of the Dam.

16. The use of the steps on the rear face of the Dam by the Public is prohibited.

17. Visitors may inspect the sluice chambers and Inspection Gallery in the Dam only when accompanied by an official guide. Application for a guide should be made to the Subdivisional Officer, Stanley Dam, or to the Dam Supervisor.

NOTE.—Free passes will be issued by the Subdivisional Officer, Stanley Dam Subdivision, to distinguished visitors to the staff of the Public Works and Electrical Departments, and to contractors and their staff of maistris, workmen and coolies who may have work to do in the area on any day.

APPENDIX V.

[*Vide* answer to question No. 207 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st August 1936, page 446 supra.]

G.O. Ms. No. 421 W., dated 17th February 1936.

READ—the following paper:—

From the Municipal Council, Erode, Resolution No. 509, dated 12th October 1935.

Order—Ms. No. 421 *W., dated 17th February* 1936.

With reference to the Resolution of the Municipal Council, No. 509, dated 12th October 1935, the Commissicner, Erode Municipality, is informed that the Salem-Erode Electricity Distribution Company, Limited, will not sell the Erode electric undertaking of the company, and that the Government are not prepared to issue a parallel licence to the Municipal Council as requested by it. If supply of electricity is required for the Municipal water works at Erode, it may be taken direct from a Government source. No separate licence is necessary for the purpose. Energy for street lighting should be obtained only from the licensee.

(By order of the Governor in Council)

W. SCOTT BROWN,
Secretary to Government.

To the Commissioner, Erode Municipality, through the Chairman, Municipal Council, Erode.

Copy to the Chief Engineer (Electricity).

APPENDIX VI.

[*Vide* answer to question No. 208 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st August 1936, page 446 supra.]

Statement of units consumed in the municipal areas of Salem and Erode.

Year.	1934. Number of units consumed.		1935. Number of units consumed.		1936. Number of units consumed.	
	Salem Municipal area.	Erode Municipal area.	Salem Municipal area.	Erode Municipal area.	Salem Municipal area.	Erode Municipal area.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
January	33,512	4,963	41,844	4,087	57,271	5,205
February	29,961	2,688	38,236	4,139	49,839	5,131
March	33,827	8,156	54,366	4,403	52,778	5,922
April	35,309	7,492	57,764	5,189	57,507	6,822
May	37,997	6,354	58,859	4,988	58,315	6,467
June	37,249	4,971	57,055	4,480	64,913	5,819

NOTE.—The figures for Salem for 1936 include certain agricultural supplies which cannot be readily separated from the total; but the licensees state that the figures furnished are correct to within 1,000 units.

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Appendix VII.

[Vide item III (1) at page 497 supra.]

NOTIFICATION.

Fort St. George, August 14, 1936 (*G.O. Ms. No.* 3586, *L.S.G.*).

The administration of the Guntur Municipality has been unsatisfactory owing to the Council's irresponsibility in financial matters. The Government are of opinion that the Council as at present constituted is incompetent to perform the duties imposed on it by law. They therefore direct under sub-section (1) of section 41 of the *Madras District Municipalities Act*, 1920, that the Guntur Municipal Council be superseded for a period of two years with effect from 25th August 1936.

T. B. Russell,
Secretary to Government.

Appendix VIII.

[Vide item III (2) at page 497 supra.]

COMMUNICATION TO THE COUNCIL.

With reference to the undertaking given in the statement of action taken on resolutions passed during the Fifth Session of the Fourth Legislative Council, laid on the table of the house on the 5th August 1935, the final action taken by the Government on the following resolution is now laid on the table:—

Resolution.	When passed by the Council.	Nature of action taken by the Government.
This Council recommends to the Government that G.O. No. 1238, Revenue, dated 14th July 1233, raising the classification of irrigation sources in the Tanjore district and G.O. No. 474, Revenue, dated 15th March 1933, levying additional water-rates in respect of udu, double crop, etc., and G.O. No. 1853, Revenue, dated 5th September 1932, prescribing rules and rates for the levy of water-charge, be cancelled.	25th January 1935.	The Government have decided not to accept the resolution. They have, however, directed the levy of concessional rates of water-cess and second-crop charge for the regular irrigation with Cauvery water in the Tanjore district as announced in the Press Communiqué, dated 15th August 1936 (copy appended).

H. R. Uzielli,
Secretary to Government.

20*th August* 1936.

Appendix.

Press Communiqué of the Government of Madras, Revenue Department, dated Fort St. George, the 15*th August* 1936.

In G.O. No. 1425 (29-S), Revenue, dated 2nd July 1936, the Government directed that for fasli 1346—

(i) water-cess for the regular irrigation with Cauvery water in the Tanjore district and in the areas irrigated by the Cauvery channels (including the Sriramasamudram and South Bank

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canals) in the Trichinopoly and Salem districts should be levied at the same rates as those sanctioned for fasli 1345, namely :—

Class of land and crop.	Rate per acre. RS.	A.	P.	Class of land and crop.	Rate per acre. RS.	A.	P.
Dry lands—				*Manavari lands*—cont..			
First crop	5	0	0	Dufasal crop	7	0	0
Second crop	2	8	0	Third crop	1	2	8
Dufasal crop	7	8	0	*Proprietary and minor inam wet lands*—			
Third crop	1	4	0	First crop	3	5	4
Manavari lands—				Second crop	2	8	0
First crop	4	10	8	Dufasal crop	5	13	4
Second crop	2	5	4	Third crop	1	4	0

and (ii) the charge for the use of Cauvery water for the irrigation of a second crop on ryotwari lands registered as single-crop wet in the Tanjore and Trichinopoly districts should continue to be levied at Rs. 5 per acre or half the single-crop assessment whichever is higher.

With reference to a representation made by the Tanjore District Delta Mirasidars' and Landowners' Association, the Government have now decided that the rates of water-cess and second-crop charge specified above should continue to be in force for a period of three years from fasli 1346.

H. R. Uzielli,
Secretary to Government.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Tuesday, the 1st September 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. Ramachandra Reddi) in the Chair.

PRESENT:

Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, K.C.I.E., The Hon. the.
Rajan, The Hon. Mr. P. T.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyahani Sahib Bahadur, S. M. K.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. G. F. F.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Halasyam Ayyar, Mr. N.
Hodgson, Mr. G. H.
Hood, C.I.E., I.C.S., Mr. H. M.
Indrayya, Mr. C.
Iswaran Pillai, Mr. I. C.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Munisami Pillai, Rao Sahib V. I.
Muthiah Chettiyar of Chettinad, Rajkumar M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa Bahadur, Rao Bahadur Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Diwan Bahadur C.
Nayagam, Mr. C. D.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalinga Reddi, Mr. C.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Ratnavelu Thevar, Mr. P.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.
Schamnad Sahib Bahadur, Khan Bahadur Mahmud.
Scott Brown, I.C.S., Mr. W.
Sesha Reddi, Rao Bahadur B. P.
Shaik Mohamad Laljan, Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Sivasubrahmanya Ayyar, Mr. K. S.
Smith, Mr. J. M.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Stanes, Mr. F. J.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.

PRESENT—*cont.*

Syed Tajudin Sahib Bahadur, Khan Sahib.
Thangal, Mr. P. M.
Thomas, Mr. Daniel
Uzielli, C.I.E., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr. V. G.
Venkatachala Reddiyar, Mr. K. C. M.
Venugopal Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.
Zamindar of Tekkali, Senior, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Administration of Justice

Measures for minimizing law's delay.

*212 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) whether any steps have been taken since the year 1930 to minimise the pendency of civil suits;

(*b*) if so, when and what they are; and

(*c*) if not, whether there are any proposals now to formulate measures to achieve this end and, if so, what they are?

A.—(*a*), (*b*) & (*c*) Since 1930, the following measures have been adopted:—

(1) The Madras Civil Courts Act, 1873, was amended by Madras Act II of 1931 to enable the Local Government to appoint one or more Additional District Judges in the District Courts, when in the opinion of the High Court the state of business before a District Court so requires it. The Government sanctioned the appointment of an additional District Judge for the District Court, East Godavari from July 1933 to October 1935. The additional Sessions Judge, Coimbatore, has been invested with the powers of a District Judge under section 3-A of the Act.

(2) The Madras City Civil Court Act, 1892, was amended in 1935 empowering the Local Government to increase the pecuniary jurisdiction of the court from Rs. 2,500 to Rs. 10,000. The pecuniary jurisdiction has been raised to Rs. 5,000 with effect from the 1st April 1935. The Government have also sanctioned the appointment of an Additional Judge for the City Civil Court as a temporary measure.

(3) The Government receive annually reports on the administration of civil justice in the Presidency and comments are made on the disposals by the judicial officers whenever necessary. The High Court obtains

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periodical returns of the institution and disposal of suits, etc., in the Subordinate Courts with a view to checking any undue delay in the disposal of cases.

(4) Under section 4 of the Madras Civil Courts Act, 1873 (as amended by the Madras Act III of 1925) the Local Government have been, from time to time, increasing the number of Additional Sub-Judges and Additional District Munsifs to be appointed to the permanent courts of Subordinate Judges or District Munsifs whenever the pendency in the courts justifies such additional appointments.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask Hon. Member whether the Government were able to minimise the delays by the process they have adopted? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" To the extent to which it is possible, they have minimised."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask whether the Government examined any statistics to ascertain the results achieved so far by the processes they have adopted? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The Government are having annual reports on the administration of justice in the Province, from which the Government are able to find whether they are making any progress or not."

Mr. C. INDRAYYA:—" Are the Government aware that there is a dire need for the appointment of an additional District Judge for West Godavari? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" If there be a dire need, the High Court will send up their recommendations to that effect and the Government will consider them."

Mr. M. A. MANIKKAVELU NAYAGAR:—" May I know whether the delay is greater in the mufassal courts or High Court? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" These are rather indefinite questions to answer."

Alleged inadequacy of accommodation in the Presidency Magistrates' Courts.

* 213 *Q.*—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(*a*) whether it is a fact that in some of the Presidency Magistrates' Courts in the City, members of the public who have to attend them on business are required to sit on the bare floor, for want of benches and chairs to sit upon;

(*b*) whether it is a fact that in some of the Presidency Magistrates' Courts in the City the available furniture is meagre, old, rotten and never repaired or renewed, and is consequently unfit for use;

(c) whether it is a fact that for some years past no annual repairs or whitewashing has been done to any of the Presidency Magistrates' Courts in the City;

(d) whether it is a fact that some of the places where the Presidency Magistrates have their sittings are dark, ill-ventilated and dirty and otherwise unsuitable for the purpose;

(e) whether it is a fact that some of the halls and rooms where the offices of the Presidency Magistrates' Courts are located are also ill-suited, over-crowded and ill-lighted; and

(f) what steps the Government propose to take to remedy these grievances of the public?

A.—(a) The furniture in the Courts is sufficient to meet normal daily requirements.

(b), (c), (d) & (e) No.

(f) Does not arise.

Mr. ABDUL HAMEED KHAN:—" May I know, Sir, on what authority the Government think that the furniture in the courts is sufficient? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The report of the officers."

Mr. ABDUL HAMEED KHAN:—" May I know, Sir, whether the Government will make themselves certain as to whether the report of the officer in question is correct or not? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The Government have no reason to think that the report is incorrect."

Concentration of all the Presidency Magistrates' Courts in one compound.

* 214 *Q.*—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) whether the Government have considered the question of locating all the Presidency Magistrates' Courts in one compound in each of the two ranges into which the City is divided for purposes of jurisdiction; and

(b) if so, at what stage the proposal is?

A.—(a) No.

(b) Does not arise.

Order of prohibition on the appearance of Mutaliks for parties before the panchayt courts.

* 215 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that the Government or the High Court have passed orders to the effect that no Mutaliks should appear for parties in suits before panchayat courts; if so, whether the Hon. Member will be pleased to place a copy of the same on the table of the House;

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(b) what are the grounds on which such an order was issued; and

(c) whether it is a fact that under the Act pleaders are not allowed to appear in panchayat courts?

A.—(a) & (b) It is not clear what the hon. Member means by the term "Mutaliks" and the Government have not issued any order in which mention is made of Mutaliks. They have no information whether the High Court has issued orders on the subject.

(c) The attention of the hon. Member is invited to section 24 of the Madras Village Courts Act, 1888.

Applications from depressed classes for appointments in the Civil Courts, Tinnevelly.

* 216 *Q.*—Mr. M. DEVADASAN: Will the Hon. the Law Member be pleased to place on the table of the House the information asked for in question No. 534 on 11th November 1935, regarding applications from depressed classes for appointments in the civil courts in Tinnevelly district?

A.—The Government have not considered it necessary to call for the information as the time and labour involved in compiling it will be out of proportion to any useful public purpose that might be served.

Rao Sahib V. I. MUNISWAMI PILLAI:—"With reference to the answer given to this question, may I ask the Hon. Member why it was not possible for the Government to collect information regarding the numbers of applications from the depressed classes for appointments in the civil courts in Tinnevelly district?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The number of applications received in various offices had to be collected and tabulated. I do not think such information is going to serve any purpose commensurate with the trouble involved."

Criminal Law

Proposals of the Government of India for modifying the Indian Penal Code with reference to the sections relating to breach of trust and breach of contract.

* 217 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that the Government have received from the Government of India for their remarks a proposal on the subject of modifying the sections relating to breaches of trust and contract in the Indian Penal Code so as to remove them from the jurisdiction of criminal courts in respect of artizans' workshops; and

(b) if so, what the nature is of the recommendations of the Local Government on this subject?

A.—(*a*) No.

(*b*) Does not arise.

Electricity

Objections to the constitution of a Central Electricity Board.

* 218 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Law Member be pleased to state—

(*a*) whether steps are being taken to form a central electricity board;

(*b*) if so, what they are and what the powers, duties and functions of that board are;

(*c*) whether any representations or objections have been received in the matter of the constitution of such a body; and if so, from whom;

(*d*) whether copies of the said representations and objections will be placed on the table;

(*e*) in what way they have been disposed of; and

(*f*) whether a copy of the order passed in the matter will be placed on the table?

A.—(*a*) *to* (*f*) As the hon. Member is aware a special committee appointed to consider *inter alia* the question of a Statutory Electricity Board whose report has been placed at the disposal of the Press has recommended that a Statutory Electricity Board is not necessary in present circumstances, but that an Advisory Board may be constituted to advise Government on matters relating to electricity. The Committee's report is under the consideration of Government. Numerous representations and objections were received from various bodies and persons regarding the constitution of the Statutory Board and it is considered that no useful purpose would be served by placing copies of the representations and objections on the table. A volume of the evidence, written and oral, tendered before the Committee will shortly be published and available for sale at the Government Press. When Government have passed orders on the Committee's Report, the question of placing them on the table of the House will be considered.

Mr. K. A. Nachiyappa Gounder:—" In answer to this question it is stated, ' numerous representations were received from various bodies and persons.' May I ask whether those representations were in favour of the consitution of a Board or against it? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" I have no information. Probably they were bothwise."

blication of the agreement between the Government of Madras and that of Mysore, regarding the generation of electricity at Sivasamudram waterfalls.

219 Q.—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the Hon. the w Member be pleased to lay on the table the agreement, if any, ived at between this Government and the Government of Mysore with ard to the generation of electricity with the Cauvery water at the asamudram Falls?

A.—No agreement has yet been arrived at. The matter is under the consideration of the Government of India.

Progress of the Mettur Hydro-electric scheme.

* 220 Q.—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the Hon. the Law Member be pleased to state—

(a) whether the Government have begun generating power at Mettur;

(b) if the answer to (a) be in the affirmative, the output of energy and the revenue accruing therefrom;

(c) whether any amount from this has been credited to the Irrigation Account under Mettur;

(d) if the answer to (c) be in the affirmative, how much; and

(e) if not, why not?

A.—(a) No.

(b) to (e) Do not arise.

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask the Hon. Member to take the House into confidence and say what the progress of the erection work of the power station at Mettur is? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The foundation stone of the power house is going to be laid by His Excellency the Governor on the 5th September."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know when the generation of power is likely to be started? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" About May 1937."

Establishment of a Thermal station at Bezwada.

* 221 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state—

(a) when a Thermal station will be started in Bezwada; and

(b) which are the districts to be supplied with electric energy from that Thermal station?

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A.—(*a*) If funds are voted by the Legislative Council during the present session, the scheme will be sanctioned and work will be started this year.

(*b*) Kistna and West Godavari districts for the present.

Mr. P. V. KRISHNAYYA CHOUDARI:—" In view of the promise made by the Hon. the Law Member's predecessor on the floor of this House, may I ask whether the Government are prepared to keep up that promise by supplying electricity to Guntur also from the Bezwada thermal station?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" As I said the other day, the idea is ultimately to take up areas which are now supplied by licensees and give these licensees a bulk supply so that such agencies may distribute the energy in their respective areas. If that is done, I think it will meet the wishes of the hon. Member."

Mr. P. V. KRISHNAYYA CHOUDARI:—" The previous Member in charge of this portfolio promised that electricity would be supplied to Guntur when the scheme of starting a thermal station at Bezwada comes into force. May I ask whether electricity will be supplied to Guntur in keeping with that promise? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I believe electricity is now being supplied. To that extent the promise has already been fulfilled."

Mr. A. RAMAKRISHNA REDDI:—" May I know at what stage the proposal to supply electricity to Ceded districts is? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" We are still in the preliminary stages of evolving a scheme."

Mr. T. S. RAMASWAMI AYYAR:—" May I ask the Government whether they will be pleased to put off the question of introducing the Reforms till electricity is supplied to Guntur district? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" It is beyond my power."

Scheme for the electrification of rural areas.

* 222 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) whether any definite scheme has been or is proposed to be worked out for extending electricity to the rural areas with a view to help the agriculturists;

(*b*) if so, what it is, and what the rate is of current that is to be charged for various purposes; and

(*c*) to how many rural areas in this province electricity has so far been introduced and what they are?

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A.—(*a*) No definite general scheme for rural electrification has been worked out, but the question of extension of electricity to rural areas near Government distribution systems is constantly being investigated, and wherever it is economically feasible, schemes are prepared and extensions are undertaken. Certain licensees are also undertaking rural distribution in areas covered by their licences.

(*b*) The attention of the hon. Member is invited to the answer furnished to clause (*a*) of question No. 890 at the meeting held on 14th March 1935. The rates for high tension supply only have since been slightly revised. The rates charged by various licensees are published by them in the form of booklets.

regular general schemes have been worked out till now with regard to appended.

Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask why no definite and regular general schemes have been worked out till now with regard to the extension of electricity to rural areas? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" The answer is we have got a definite policy. We cannot begin the surveying of the whole Province and fix up a programme giving the hour and the date and say that we shall supply electricity to such and such a place on such and such a date. As I have already said more than once that, when we develop electricity, the surrounding areas are taken into consideration. It is not a practicable proposition to supply electricity for each and every rural place in the Presidency according to a fixed programme."

Mr. V. M. RAMASWAMI MUDALIYAR :—" May I ask whether Government have arrived at a definite means or mode of distribution of electrical energy, either Government or departmental distribution, or that the distribution will be entrusted to private agencies, so far as rural areas are concerned? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" There again, the policy of the Government is that wherever the local body or the municipality concerned is competent and willing to take up the work, the Government have no objection to entrusting the distribution to such local bodies, so that whatever benefit accrues out of this transaction might go to the people of that locality. Failing the local body, a private licensee is given the opportunity. But at the same time, in the case of extending and distributing system in rural areas, if the Government consider that the circumstances are such that it is profitable for the Government to do the work themselves, they will themselves do it."

Mr. V. M. RAMASWAMI MUDALIYAR :—" May I ask whether, as a matter of fact, this opportunity has been given to district boards or municipalities wherever the extension of electric power has been found possible by reason of the Government projects? "

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* Printed as Appendix I on page 617 infra.

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The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The policy of the Government is to do so. I am not aware of any instances where local bodies have not been granted this power if it was possible to do so. When I was referring to local bodies I was merely referring to municipalities and panchayat boards, because the taluk boards have now been abolished. As far as the district boards are concerned, they have got jurisdiction over a large area and it may not be possible for the district boards to do the work themselves. But where a panchayat or a municipality is capable and willing to take up the work, it is being given preference."

Mr. K. A. NACHIYAPPA GOUNDER:—" In answer to clause (*b*) it has been stated that ' the rates for high tension supply only have since been slightly revised.' May I ask whether they have been increased or decreased? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Decreased."

Mr. K. KOTI REDDI:—" May I ask what is the policy or the scheme for the purpose of generating and distributing electricity in rural areas for pumping water by means of small schemes here and there? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I do not think we have thought out a scheme like that. If we have any such scheme, I think it will probably land us in insolvency."

Extension of the licence granted to the Guntur Power and Light, Limited.

* 223 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state as to when the Government have extended the licence of Guntur Power and Light, Limited, to other places and what the special reasons are which actuated the Government to extend the licence?

A.—The area of supply under the Guntur Electric licence was extended on 4th June 1935 so as to include the whole of the revenue taluks of Guntur, Tenali, Repalle and Bapatla. The licensees submitted an application to Government in accordance with the Indian Electricity Rules for extending their licensed area, and Government sanctioned the extension applied for, after consulting the local bodies concerned and also after inviting objections, if any, from the general public. The District Board of Guntur within whose limits the major portion of the area lies recommended the extension.

Mr. P. V. KRISHNAYYA CHOUDARI:—" In view of a thermal station being started at Bezwada, what are the special reasons for the Government giving extensions to the licensees for the whole of the district? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The licence was granted in 1935. In view of the possibility of a thermal station coming into existence at Bezwada, we could not stop the progress of the work in Guntur by the licensees."

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Mr. P. V. Krishnayya Choudari:—" In view of the statement made by the Hon. Member may I know whether the licensees have succeeded in their work? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" I believe these licensees have been working in the Guntur district, at least in portions of the Guntur district."

Mr. P. V. Krishnayya Choudari:—" I mean in view of the extensions granted to them by the Government, have they done any connexion at all? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" I am told the work is in progress."

Mr. P. V. Krishnayya Choudari:—" May I know whether they have done at least one connexion? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" So far as that is concerned, probably my friend will be able to furnish the answer, coming as he does from Guntur."

Mr. P. V. Krishnayya Choudari:—" May I ask whether the Government will at least expedite this matter? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" What all promptings are necessary are being given."

Conditions governing the grant of extension to the Guntur Power and Light, Limited.

* 224 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Law Member be pleased to state—

(*a*) all the conditions stipulated for granting the extension to the Guntur Power and Light, Limited, and the period during which they are to take the energy to the places stipulated therein;

(*b*) whether any progress has been made so far; and

(*c*) whether the Government have taken any steps to expedite the supply?

A.—(*a*) No conditions were imposed.

(*b*) A schedule [a] submitted by the licensees showing the steps so far taken by them to provide a supply of energy in their extended area of supply is appended.

The licensees stated on 1st July 1936 that the transmission line poles required for the Tenali-Guntur line had been received and railed to stations on the Guntur-Tenali line and that erection work would be commenced before the end of July 1936. They anticipate that Tenali town will be connected to the Guntur Power-station by about October 1936.

(*c*) The Chief Engineer for Electricity has been directed to take up the question of expediting supply to the extended area with the licensees and his report is awaited.

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[a] Printed as Appendix II on page 618 infra.

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Mr. P. V. KRISHNAYYA CHOUDARI:—" In view of the answer contained in clause (c) that the report of the Chief Engineer for Electricity is awaited, may I know when it is expected? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" In about a week."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask whether it will be placed on the table of the House? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" When the report is received, the matter will be considered."

Progress of the scheme for the electrification of Kodumudi, Coimbatore district.

* 225 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) at what stage the introduction of electricity into Kodumudi in Coimbatore district is;

(*b*) when it is likely to be accomplished; and

(*c*) from which place the electric current is to be taken to this town?

A.—(*a*) & (*b*) The hon. Member is referred to the answer given to clause (*a*) of question No. 693 on 3rd February 1936.

(*c*) The hon. Member is referred to the answer given to clause (*e*) of question No. 903 on 18th March 1935.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. the Law Member whether any further possibility of extending electricity to this town has been explored? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Notice, Sir."

Mr. K. A. NACHIYAPPA GOUNDER:—" With regard to this and other subsequent questions, I find that invariably old answers are referred to and we are not in a position to take advantage of this and consult the Council Proceedings so as to know exactly what they are within the short time of about an hour left before us during which we are not able to go through such a heavy agenda and questions as this. In view of this, may I request you, Mr. President, to see that at least short summaries of these answers are furnished instead of simply referring to the old answers given long ago? "

The Hon. the PRESIDENT:—" I think it is one of the duties of hon. Members that they should come here early and look into the Proceedings of the Council which are available both in the Council Library as well as the Secretariat Library. If we are to publish short summaries of the previous answers referred to in the replies given to these questions, it will mean no end of trouble to the Council office."

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Representations for electrification of Attur, Salem district.

* 226 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Law Member be pleased to state—

(*a*) whether representations have been received either from the panchayat board or from the public of Attur in Salem district with regard to the introduction of electricity to their town;

(*b*) if so, when and in what way they have been disposed of; and

(*c*) when the electrification of the said town is likely to be accomplished?

A.—(*a*) & (*b*) The hon. Member is referred to the answer given to clauses (*a*) and (*b*) of question No. 171 on the 8th August 1935. No subsequent representation has been received.

(*c*) Does not arise.

Progress of the scheme for the electrification of the panchayat villages in the northern taluks of the Salem district.

* 227 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Law Member be pleased to state—

(*a*) when the electrification of the panchayat towns in Omalur and other northern taluks of Salem district is likely to be taken up; and

(*b*) whether the Pykara current will be extended to these places or whether the supply may be taken only when the hydro-electric project at Mettur is completed?

A.—(*a*) & (*b*) The attention of the hon. Member is invited to the answer given to question No. 175 on 9th August 1935. The electrification of Omalur Panchayat town has not yet been investigated. Provision has been made in the Mettur Hydro-Electric Project for extension of supply to Morappur and Dharmapuri in the third year and to Krishnagiri in the fourth year of operation.

Mr. K. A. Nachiyappa Gounder:—" May I ask the Hon. the Law Member whether they have laid out any definite programme of extending electricity to rural areas at least in the taluks round about Mettur? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" I do not know whether I should repeat the same answer in answering these questions. As I said, we have got a definite policy of extending electricity to places where it would be welcome and where it would be useful."

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Progress of the scheme for the electrification of Tiruchengodu, Sankari, Idappadi and Namakkal in Salem district.

* 228 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) at what stage the schemes for the electrification of each of the towns of Tiruchengodu, Sankari, Idappadi and Namakkal in Salem district is;

(*b*) when each of them is to be realized or brought into being; and

(*c*) what the reasons are for keeping them in abeyance so long?

A.—(*a*), (*b*) & (*c*) A scheme to construct at Government cost high-tension lines for the supply of power to Tiruchengodu and Idappadi was sanctioned in June 1936. The line to Tiruchengodu is expected to be in service early in January 1937. As regards Sankari and Namakkal, the hon. Member's attention is invited to the answers given to questions Nos. 324 and 326 on 31st October 1935 and No. 743 on 25th February 1936. As regards the other points referred to in the question, the Government have no information.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. Member as to what the income is that they anticipate from the lines which the Government have undertaken to lay?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Notice, Sir."

Progress of the scheme for the electrification of Rasipuram, Salem district.

* 229 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(*a*) whether the operations of electrifying the town of Rasipuram in Salem district have been started and if so, at what stage they are;

(*b*) when the work will be completed and at what cost; and

(*c*) what the annual income expected to be realized from this scheme is and what the percentage will be of profit gained on the net outlay?

A.—(*a*) The attention of the hon. Member is invited to the answer given to question No. 722 on 5th February 1936. Orders for materials have been placed and arrangements made to start work immediately on their receipt.

(*b*) In the current financial year at an initial cost of Rupees 1,05,000.

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(c) The average revenue for the first eight years is estimated at Rs. 15,680 per annum or 12·7 per cent of the ultimate total outlay of Rs. 1,23,000.

Mr. K. A. NACHIYAPPA GOUNDER :—" In answer to clause (c) the Government say that they estimate an income of 12·7 per cent of the ultimate total outlay of Rs. 1,23,000. May I ask whether in view of the high percentage of income they will be able to get, the Government will be prepared to consider the reduction of rates? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" Notice, Sir."

Labour

Communities employed as teachers in the Labour schools in the North Arcot district.

* 230 *Q.*—Rao Sahib V. DHARMALINGAM PILLAI : Will the Hon. the Law Member be pleased to state the number of Depressed class Christians, Muslims, Brahmans and Non-Brahmans employed as teachers in the Labour schools of the North Arcot district?

A.—The Government have no information but have called for it

Appointments made to the Labour schools in Guntur.

* 231 *Q.*—Rao Sahib V. DHARMALINGAM PILLAI : Will the Hon. the Law Member be pleased to state—

(a) the additional number of schools opened and of depressed class teachers, both Hindu and Christian, appointed by the present District Labour Officer, Guntur, since his appointment to the district; and

(b) whether it is a fact that deputation of Adi-Andhras waited on the Commissioner of Labour during his visit to the Guntur district in June 1936; if so, what were their grievances?

A.—(a) & (b) The Government have no information but they have called for it.

Prisons and Prisoners

Health condition of Mr. Mukundalal Sircar, a prisoner confined in the Central Jail at Salem.

* 232 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Law Member be pleased to state—

(a) whether Mr. Mukundalal Sircar, a prisoner in the Madras Conspiracy Case, is still kept in the Central Jail at Salem;

(b) if not, where he is kept now;

(c) what his present weight and physical conditions are;

(d) whether representations have been made by him or on his behalf for his transfer to any of the Bengal jails; and

(e) if so, in what way they have been disposed of?

A.—(*a*) Yes.

(*b*) Does not arise.

(*c*) His weight on 13th August 1936 was 99 lb. His general condition is fair.

(*d*) No representation has been made by the prisoner for his transfer to a Bengal jail. Representations were made in November 1935 by the Employees' Association, Calcutta, the Bengal Motor Workers' Union and the Reception Committee of the All-India Trade Union Congress, Calcutta, for the transfer of the prisoner to some jail in Bengal on grounds of the prisoner's health.

(*e*) The Government decided against the transfer as the health of the prisoner was reported to be quite fair.

11-15 a.m. Mr. ABDUL HAMEED KHAN:—"May I know whether the Government consider that 99 lb. is the normal weight of a person of his age?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"It is an increase on what it was some time ago."

Mr. ABDUL HAMEED KHAN:—"I ask whether it is the normal weight of a person of his age?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"That information is as much available to the hon. Member as to the Government."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask what was the weight of the prisoner when he first entered the jail?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Notice, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask how his present weight compares with the weight when he entered jail?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I believe it is the same question in other words as that put by Mr. Nachiyappa Gounder."

Honorifics.

Alleged non-observance of G.O. No. 315, *Law (General), dated 27th January* 1933, *in regard to the adoption of the term 'Viswa Brahmans.*

* 233 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that Brahma Sri Kuloddharaka Pethamaha Sivakoti Sarabha Acharyulu Garu of Vizianagram City, Vizagapatam district, submitted a petition to both the Government and the Collector of Vizagapatam district on or about 1933 complaining that, in spite of G.O. No. 315, Law (General), dated 27th January 1933,

south of the Presidency are still recording the names of the community as Kammalars, Kamsalins, Akkanalins, Thattans, etc., instead of Viswa Brahmans with the condemned form of suffix 'Asari' in birth and death registers and other Government records; and

(b) if so, what orders the Government have passed on this petition?

A.—(a) No such petition was received by Government. They have no information whether the Collector of Vizagapatam received any.

(b) Does not arise.

Operation of G.O. No. 315, Law (General), dated 27th January 1933, in Malabar.

* 234 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the fact that in spite of G.O. No. 315, Law (General), dated 27th January 1933, the village officers of Kannapuram amsam and desam, P.O. Cherukannu, have refused to correct the names of the members of the Viswa-Brahmana community with the suffix of "Achary" in pattas Nos. 117, 150, 152, 153, 164, 174, 293 and 311 though they were requested to do so;

(b) whether it is a fact that the matter was reported to the Tahsildar of Chirakkal and in L. Dis. No. 3056/35, dated 29th April 1935, he replied that necessary instructions have been issued to the village officers concerned;

(c) whether Mr. A. R. MacEwen, I.C.S., Collector of Malabar, in his proceedings L. Dis. No. 2451/36 dated 16th May 1936, refused to record the names of the said community as stated in the Government Order on the grounds that the Government Order in question has no reference to the Kammalans (Thattans) of Malabar;

(d) if the information is not ready, whether the Government will call for a report and place it on the table of the House;

(e) whether the Government have subsequently exempted British Malabar from the operation of the said Government Order;

(f) if so, on what grounds they consider that the Kammalars are different from the rest of the community of the Presidency;

(g) whether the Government be pleased to lay on the table of the House a copy of G.O. No. 315, Law (General), dated 27th January 1933; and

(h) whether the Government Order in question was communicated to all Collectors including the Collector of Malabar?

A.—(*a*), (*b*), (*c*) & (*d*) The Government have no information, but have called for a report.

(*e*) No.

(*f*) Does not arise.

(*g*) A copy [a] of the Government Order is placed on the table.

(*h*) Yes.

Petition from Malabar for wide publicity to G.O. No. 315, *Law* (*General*), *dated 27th January* 1933.

* 235 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether Brahma Sri B. P. Madhavan Ravisharma Acharyar Avargal of Thaniari, Madai amsam, Vengara desam, P.O. Payangadi, requested the Government in the petition submitted to them on or about 15th June 1936 that G.O. No. 315, Law (General), dated 27th January 1933, might be known public in villages by beat of drum (tom-tom) and by affixing the same on the notice boards of village chavadis and sub-registrar's offices; and

(*b*) the orders of Government, if any, on this subject?

A.—(*a*) No.

(*b*) Does not arise.

Inland Waterways

Enhancement of the licence and wharfage fees in the Buckingham canal.

* 236 *Q.*—Mr. N. HALASYAM AYYAR: With reference to the answer to question No. 1061 answered on 28th January 1929 and the Government reply to a cut motion during the budget session in March 1936, will the Hon. the Member for Revenue be pleased to state—

(*a*) the reasons for not restoring the licence and wharfage fees (increased by 50 per cent) to their original rate or at least modifying them to certain extent, when the work of improvements, etc., had to be stopped as impracticable; and

(*b*) whether the Government have ever considered the desirability to amend the navigation rules to grant facilities for the boatmen to pay their licence fees in four instalments as in the case of land revenue, motor, etc., licence fees?

A.—(*a*) The licence fees have not been reduced as the canal continues to work at a loss to Government. However, the Chief Engineer for Irrigation has been asked to go into the matter thoroughly and submit a report to Government. The Chief Engineer's report has just been received.

(*b*) No.

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[a] Printed as Appendix III on pages 618–619 infra.

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Mr. P. PEDDI RAJU:—"May I ask whether the Hon. the Revenue Member will place the report of the Chief Engineer on the table of the House?"

The Hon. Sir CHARLES SOUTER:—"I have not yet perused the report. I will consider the suggestion after I have read it."

Mrs. A. RUKMANI LAKSHMIPTHI:—"May I know, Sir, in view of the representations that were made, whether the Government will consider the desirability of reducing the licence fee?"

The Hon. Sir CHARLES SOUTER:—"That was one of the representations made to me by the deputation which I received the other day. Of course that point also will receive my very careful consideration."

Grievances of the merchants and boat-owners of the Buckingham canal.

* 237 *Q.*—Mr. V. T. ARASU: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether any representations have been received by Government and the Chief Engineer for Irrigation from the Buckingham Canal Boat-owners' and Merchants' Association regarding the grievances of the boat-owners and regarding the condition of the Buckingham Canal; and

(*b*) what steps Government have till now taken in regard to the above representations?

A.—(*a*) & (*b*) Representations were received by Government from the Buckingham Canal Boat-owners' and Merchants' Association, and they were referred to the Chief Engineer for Irrigation for report. The Chief Engineer's report has just been received. The Government are not aware whether similar representations have been received by the Chief Engineer also.

Improvements effected to the Buckingham canal for the quinquennium ending 31st March 1936.

* 238 *Q.*—Mr. N. HALASYAM AYYAR: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the annual amount spent on the Buckingham canal for the past five years ending 31st March 1936 under the following heads:—

(i) silt clearance,
(ii) improvements,
(iii) closing of breaches,
(iv) opening of sea-bars,
(v) repairs to locks,
(vi) establishment,
(vii) strengthening of berms and banks, and
(viii) repairs;

(*b*) the nature of the works of improvement undertaken, if any, during the period and the cost of such work;

(*c*) the circumstances that led to the increase in expenditure from Rs. 1·24 lakhs in 1916–17 to Rs. 3·37 lakhs in 1925–26;

(*d*) the effect of such increase in expenditure in facilitating easy traffic in the canal;

(*e*) the total number of boats that plied in the canal for the past five years and the total number of registered tonnage of the boats that plied;

(*f*) the kind, and quantity of goods transported through the canal for the past five years;

(*g*) whether the Government propose to take any steps to increase the depth of the canal;

(*h*) the level of the water in the canal between miles 10 to 60 to the north of Madras as per gauge registers from the months of April to July 1935 and 1936;

(*i*) the number of boats that passed through Chintamani lock between the months of April to June 1935 and from July to September 1935; and

(*j*) whether any representations in writing have been received from the Buckingham Canal Boat-owners' and Merchants' Association in March 1936 for the erection of a sand bag lock at Pulicat to improve the situation created by the premature closure of the bar; if so, what action has been taken thereon; if no action has been taken, what the reasons are for the non-erection of the lock?

A.—(*a*) to (*d*), (*h*) & (*i*) Government have no information.

(*e*) & (*f*) The information is contained in D-I and D-II Statements printed in the Public Works Department Administration Report, Part II—Irrigation.

(*g*) The question of improving the condition of the canal is now under the consideration of Government.

(*j*) No such representation was received by Government in March 1936.

Mr. ABDUL HAMEED KHAN:—"In answer to clause (*g*) the Government say that the question of improving the condition of the canal is now under the consideration of the Government. May I know how long the matter has been under consideration and whether there is any specific scheme for the purpose?"

The Hon. Sir CHARLES SOUTER:—"The question of improvement has been under consideration since some Members of this House brought the matter up some time last March, I believe. I know

Mr. ABDUL HAMEED KHAN:—"May I ask whether there is any scheme now under consideration?"

The Hon. Sir CHARLES SOUTER:—"I do not know whether there is any general scheme under consideration, but I know that certain details were under consideration and those details have already been carried out. For the rest, the representations of the deputation which I received the other day and which covered the whole ground, will reopen the whole question and it will be considered as a general question."

Irrigation

Constitution and functions of the Irrigation Development Board.

*239 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether there is a Board called the Irrigation Development Board and if so, when it was constituted and who the members of the said Board are;

(*b*) the functions, rights and duties of the said Board;

(*c*) the work turned out by the said Board till now ever since its constitution; and

(*d*) the recommendations made by the said Board with regard to the Ceded districts and Chittoor, and the action taken by the Government on such recommendations?

A.—(*a*) & (*b*) The Board was formed in November 1930 and its functions are purely advisory. It consists of—

(1) The Commissioner of Land Revenue.

(2) The Commissioner of Land Revenue and Settlement.

(3) The Chief Engineer for Irrigation.

(4) The Director of Agriculture.

For further details the attention of the hon. Member is invited to G.Os. No. 3210 I., dated 14th November 1930, and No. 1482 I., dated 11th July 1934, which have been placed at the disposal of the Press.

(*c*) & (*d*) The attention of the hon. Member is invited to the annual reports of the Board which are published.

Mr. G. RAMESWARA RAO:—"Sir, I submit that the Government Orders referred to here are not available in the Council Library. May I request you to permit me to put my supplementary questions on this question to-morrow?"

The Hon. the PRESIDENT:—"Supplementary questions cannot be postponed to a later day. If the hon. Member chooses, he may give notice of fresh questions. That is the practice in this House."

Mr. G. RAMESWARA RAO:—"I submit that at least in regard to questions for which the relevant papers are not available in the Council Office this may be allowed so that the answer may be complete?"

The Hon. the PRESIDENT:—"It may be made complete if the hon. Member gives notice of fresh questions and gets them answered. Since we are likely to meet some time in December, I think he will do well to do so."

Mr. T. S. RAMASWAMI AYYAR:—"May I ask whether the Government will consider the desirability of co-opting a few non-officials to the Board?"

The Hon. Sir CHARLES SOUTER:—"I do not think so, Sir."

Minimum return anticipated on protective irrigation works in the Ceded districts and Chittoor.

* 240 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether any minimum return is expected from protective works of irrigation;

(*b*) whether it is uniform for the whole Presidency or whether it differs from district to district or from taluk to taluk; and

(*c*) if so, what the minimum is for each of the taluks in Ceded districts and Chittoor?

A.—(*a*), (*b*) & (*c*) The attention of the hon. Member is invited to the following Government Orders which were placed on the Council table on the 3rd August 1934:—

G.O. No. 1718 I., dated the 7th July 1931,

G.O. No. 433 I., dated the 21st February 1933.

Mr. G. RAMESWARA RAO:—"May I know whether there is any difference with regard to the minimum for each taluk or whether the minimum is fixed for the district as a whole?"

The Hon. Sir CHARLES SOUTER:—"It does not necessarily mean that the minimum is for each taluk; it is for portions of a district where the conditions are more or less similar. It may be the whole district or portions of a district, not necessarily taluks."

Mr. K. KOTI REDDI:—"In view of the impending famine in the Ceded districts as the rains have failed and also in view of the very low rates of interest at present available, will the Government be pleased to reduce the minimum fixed in these Government Orders?"

The Hon. Sir CHARLES SOUTER:—"I have no information about any impending famine."

Progress of the Kaleru project.

* 241 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state in what stage the Kaleru project in Vinukonda taluk is?

A.—No project by name ' Kaleru ' has been investigated or is under investigation, so far as the Government are aware.

Proposals for the purchase of a steam launch for the Mettur Reservoir.

* 242 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether there are any proposals for the purchase of another steam launch smaller in size than the present one for use in the Mettur Reservoir;

(*b*) if so, when it is likely to be purchased and at what cost;

(*c*) where was the existing one purchased and by whom and at what cost; and

(*d*) whether previous orders of the Government were obtained for such a purchase?

A.—(*a*) & (*b*) Yes. The Chief Engineer has been asked to consider and report whether it would not be economical to replace the present launch by a smaller one similar to the one in use on the Periyar lake. His report is awaited. (The present launch at Mettur is a *motor* launch and not a *steam* launch.)

(*c*) It was purchased at Calcutta by the Superintendent of Works, Cauvery-Mettur Project, at a cost of Rs. 22,400.

(*d*) Yes.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Member what the probable cost of the new launch will be? "

The Hon. Sir CHARLES SOUTER:—" We do not know, Sir."

Alleged holding up of water in the Mettur Reservoir to the detriment of the irrigational needs of Salem.

* 243 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether the practice of holding up water tightly at Mettur Reservoir whenever there was rain at Tanjore irrespective of the needs of Salem-Cauvery irrigated area has been put an end to;

(*b*) if so, (1) whether a copy of the order passed in the matter will be placed on the table; and

(2) what the reasons are for the frequent failure of water-supply in the channels in Salem area?

A.—(*a*) & (*b*) An extract [a] of paragraph 8 of G.O. No. 1288, Revenue, dated 15th June 1936, is placed on the table. The position in regard to the supply of water from the Mettur Reservoir to the channels in Salem district has been fully

[a] Printed as Appendix IV on page 619 infra.

explained in answer to interpellations in the Council in the past and the Government have nothing further to add. As will be seen from the extract of the Government Order referred to above, the Chief Engineer has been instructed to pay due attention to this matter.

Mr. K. A. NACHIYAPPA GOUNDER :—" With reference to the Government Order quoted here, am I to understand that if this enhancement has not been made, Salem district will not be given the usual supply which it has been getting from time immemorial? "

The Hon. Sir CHARLES SOUTER :—" It does not follow at all, Sir."

Mr. K. A. NACHIYAPPA GOUNDER :—" In this matter the Government Order seems to be lukewarm, Sir. May I ask the Hon. the Revenue Member to issue stringent orders so that they may be followed strictly? "

The Hon. Sir CHARLES SOUTER :—" There is nothing lukewarm about the matter; the orders themselves are quite stringent enough."

Failure of water in the Cauvery channels in Namakkal taluk.

* 244 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) how many times there was failure of water in the Cauvery channels in Namakkal taluk of Salem district since January 1936;

(*b*) what the duration of failure was each time and what the reasons were for the failure each time;

(*c*) what the estimated loss incurred to crops was in each of such failures in that area; and

(*d*) what steps the Government have taken or propose to take to ensure steady and unbroken supply?

A.—(*a*) *to* (*c*) The Government have no information.

(*d*) The Chief Engineer has been told that as the Salem and Trichinopoly districts are entitled to due consideration in the matter of supply from the Mettur Reservoir, every effort should be made to give the necessary supply.

Mr. K. A. NACHIYAPPA GOUNDER :—" With reference to the answer to clause (*c*), may I ask whether the Hon. the Revenue Member will call for the information which will reveal to the Government the sufferings of the people in these parts during the period? "

The Hon. Sir CHARLES SOUTER :—" In view of the orders passed I do not think it is necessary to go into the alleged sufferings in the past."

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Investigation of the scheme for irrigation of Salem by means of pumping the waters of the Cauvery by electric power.

* 245 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether the scheme for providing water for irrigation from the river Cauvery by means of pumping by electric power to certain areas in Salem is being further investigated;

(*b*) if so, by whom the investigation is made;

(*c*) whether any interim or final report has been received in the matter; and if so, whether copies of them will be placed on the table;

(*d*) whether any area has been reserved to be consistent with the Mysore agreement for providing to Salem district, if this scheme is to be found fruitful;

(*e*) who the Engineer who originally investigated into the feasibility of providing water for irrigation from the Cauvery-Mettur Project is; and

(*f*) whether a copy of the full text of his report together with the orders passed by the Government thereon will be placed on the table?

A.—(*a*) No.

(*b*) *to* (*d*) Do not arise.

(*e*) *&* (*f*) The attention of the hon. Member is drawn to the answer to clauses (*a*) and (*c*) of question No. 297 answered *on* 30th October 1935.

Mr. K. A. NACHIYAPPA GOUNDER:—" With regard to this question again, Sir, in the answer referred to I remember that the Government have stated that there was a possibility of considering the scheme. May I ask, Sir, when they would take it up? "

The Hon. Sir CHARLES SOUTER:—" That would be certainly not in the near future. It depends entirely on the extension of irrigation in Tanjore."

Progress of the scheme for augmenting the supply of water to the Badathalav tank, Krishnagiri taluk.

* 246 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) at what stage the investigation of the scheme for supplementing the supply of water to the Badathalav tank in Krishnagiri taluk of Salem district is; and

(*b*) if completed, what the report received from the Chief Engineer for Irrigation is and whether a copy of it will be placed on the table?

A.—(*a*) *&* (*b*) The Chief Engineer for Irrigation has reported as follows: " The scheme (for the diversion of water by bunding up a jungle stream in Narlapalle reserved forest)

is impracticable and costly as it involves cutting to a depth of about 100 feet in rock. Further it will affect the supplies to the Barur tank."

The Government do not therefore propose to take any action in the matter.

Measures for clearing the tributary channel from the Thirumanimuthar river to the Naikarapatti tank in Salem taluk.

* 247 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether any steps have been taken to clear the tributary channel from the Thirumanimuthar river to the Naikarapatti tank in the Salem taluk of Salem district;

(*b*) if so, what they are; and

(*c*) whether any representations have been received from the ayacutdars of the said tank for undertaking such works; if so, from whom and how they have been disposed of?

A.—(*a*) & (*b*) Government understand that a report was received from the Superintending Engineer and that he has been asked by the Chief Engineer to see that necessary repairs are carried out.

(*c*) No representations have been received by Government.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask, Sir, when the Chief Engineer is likely to complete the repairs?"

The Hon. Sir CHARLES SOUTER:—"If I were the hon. Member, I would ask the Chief Engineer."

Proposals for the assignment of land on patta in Velliyur village, Chingleput district.

* 248 *Q.*—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Member for Revenue be pleased to call for the information referred to in clauses (*a*) and (*b*) of question No. 835, dated 28th February 1936?

A.—The Government see no reason to call for the information as the matter is one for representation to the district officials.

Land Revenue Administration

Restrictions on the confirmation of 'unpassed men' in the Settlement Department.

* 249 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether unpassed men who have obtained exemption have been confirmed in past years in Settlement Parties and other depart-

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(*b*) to what extent has their service been affected by a change in the service rules; and

(*c*) whether the temporary unpassed men who have put in long number of years of service in the Revenue Settlement Parties have sent memorials to the Government to exempt them from the new condition imposed on them in their Order No. 2203, Public (Services) Department, dated 20th December 1935?

A.—(*a*) Prior to the issue of the statutory rules relating to the Madras Ministerial Service, only those unpassed men who had been exempted from the provisions of Article I of the Public Service notification to hold permanent posts were eligible for confirmation.

(*b*) Under rule 9 of the Madras Ministerial Service Rules, unpassed men who have been exempted to hold temporary posts are not eligible for admission to full membership in the Madras Ministerial Service, unless and until they have proved their possession of the minimum general educational qualification prescribed in the general rules for subordinate services.

(*c*) Yes.

Mr. A. B. SHETTY:—"May I ask whether the Government have considered the memorials submitted to them and passed any order on them?"

The Hon. Sir CHARLES SOUTER:—"I believe that individuals sent separate representations each one of which was considered."

Mr. A. RAMAKRISHNA REDDI:—"May I ask whether it is not a fact that Rule 9 of the Madras Ministerial Service Rules laying down minimum qualifications is not applicable to persons already in service on the date the rules came into force?"

The Hon. Sir CHARLES SOUTER:—"No, Sir. Rule 9 bars the confirmation of unpassed men after the issue of the Madras Ministerial Service Rules. Beyond that I do not know what the hon. Member means by his question."

Mr. A. RAMAKRISHNA REDDI:—"I wanted to know whether the minimum qualification laid down by Rule 9 of the Madras Ministerial Service Rules does not apply to persons already in service on the date when the rules came into force?"

The Hon. Sir CHARLES SOUTER:—"Yes, Sir, in certain circumstances."

Mr. V. P. NARAYANA NAMBIYAR:—"May I know from the Hon. the Revenue Member whether he is aware that unless these persons are exempted from the operation of the rule in question, it will intensify the unemployment problem and that it will not be possible for these men whose sons have passed the Intermediate and B.A. examinations to sit for the S.S.L.C. examination?"

The Hon. Sir CHARLES SOUTER:—" I have no doubt that the implication of the hon. Member's question is correct. It will involve the unemployment of the people already in service. On the other hand it might involve also the unemployment of other people who might otherwise get jobs."

Mr. K. KOTI REDDI:—" May I ask whether Government cannot do something for these clerks who have been in regular and continuous service for ten years and in some cases for more than 20 years even? May I ask whether it is not possible to confirm them? "

The Hon. Sir CHARLES SOUTER:—" Not at present."

Mr. V. P. NARAYANA NAMBIYAR:—" Apart from the unemployment problem and the other difficulty, may I ask the Hon. the Revenue Member whether this does not give the rudest shock to the sense of security which is the pride of Government service? "

The Hon. Sir CHARLES SOUTER:—" I cannot see that any security of tenure comes in here at all. When a man is in temporary employment, the word 'temporary' does not imply that he has any permanency or security in his employment."

Mr. V. P. NARAYANA NAMBIYAR:—" But is it not a fact that they have been kept on as temporary for 20 and 25 years? "

The Hon. Sir CHARLES SOUTER:—" That, Sir, I presume, is the basis of the whole question."

Restrictions on the confirmation of temporary clerks in the Settlement Department.

* 250 *Q.*—Mr. M. S. SRESHTA: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the number of temporary clerks in the Settlement Department;

(*b*) how many of them have served for more than ten years and how many for more than twenty years;

(*c*) whether they have as a whole carried out their duties satisfactorily;

(*d*) if so, why they have not been confirmed;

(*e*) whether it is a fact that they have been informed that they cannot be confirmed unless they obtain qualifications now necessary for admission to the Ministerial service;

(*f*) if so, why they have been so informed and whether G.O. No. 280, Public (Services), of 25th October 1932 and Rule 16-A (1) of the Madras Ministerial Service Rules to the effect that 'nothing in the special and general rules shall adversely affect any person who may be a member of any service on the date of coming into force of these rules'

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(*g*) whether representations have been received to the effect that it will be a great hardship to give retrospective effect to new rules and to require men with 10 to 20 years' service and more to obtain qualifications late in life; and

(*h*) if so, what action the Government have taken in the matter?

A.—(*a*) *to* (*c*) The Government have no information.

(*d*) The cadre of the Settlement Party consists of a small nucleus of permanent posts and a large number of temporary posts. It is not therefore possible to provide all the temporary clerks with permanent posts.

(*e*) Yes.

(*f*) Rule 9 of the Madras Ministerial Service Rules bars the confirmation of unpassed men in the Madras Ministerial Service after the issue of the rules for that service. Under the Public Service Notification which was in force prior to the issue of the Madras Ministerial Service Rules extra and temporary clerks in the Revenue Settlement parties were excluded from the scope of Article 1 prescribing the minimum general educational qualification, but for permanent appointment they had to possess such qualification or to be exempted by competent authority. Unpassed men had no right to confirmation, and the new rules cannot therefore be said to have affected them adversely.

(*g*) No.

(*h*) The question does not arise.

Extent of relief granted by the Special Loans Officers under the Agriculturists' Loans Act.

*251 *Q.*—Mr. A. B. Shetty: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the number of districts and villages in which Special Loans Officers were working in 1935–36;

(*b*) the number and amount of loans sanctioned;

(*c*) the amount of indebtedness relieved;

(*d*) the districts in which Special Loans operations are proposed to be undertaken in 1936–37 and the amount allotted for the same; and

(*e*) whether the Loans Officers experience any difficulty in debt conciliation methods?

A.—(*a*) During the year 1935–36 Special Loans Officers were working in the undermentioned firkas in the Chingleput and East Godavari districts:—

District.	Taluk.	Firkas.
Chingleput ..	.. Madurantakam	.. Madurantakam.
Do. ..	.. Conjeeveram	.. Uttiramerur.
East Godavari ..	.. Ramachandrapur	.. Alamur.
Do. ..	.. Rajahmundry	.. Rajanagaram.

The Government have no information as to the number of villages in each of these firkas.

(*b*) & (*c*) A statement [a] is annexed.

(*d*) The attention of the hon. Member is invited to the answer to clause (*a*) of question No. 15. A sum of Rs. 20 lakhs has been provided in the Budget Estimate for the current year for the grant of these loans.

(*e*) No special difficulties have been brought to the notice of the Government.

Loans advanced under the Agriculturists' Loans (Amendment) Act.

* 252 *Q.*—Mr. V. T. ARASU: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the total amount that has been distributed as loan to the agriculturists of the Presidency up to date after the passing of the amendment to the Agricultural Loans Act; and

(*b*) the respective amounts distributed in each of the districts of the Presidency?

A.—(*a*) & (*b*) A statement [b] is annexed.

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I know whether the operation of the Agricultural Loans Amendment Act will be extended to the Nilgiris?"

The Hon. Sir CHARLES SOUTER:—"In course of time, yes, Sir."

Operation of the Agriculturists' Loans (Amendment) Act in the Chingleput district.

* 253 *Q.*—Mr. V. T. ARASU: Will the Hon. the Member for Revenue be pleased to state—

(*a*) the number of applications received from the ryots in Chingleput district (talukwar) for loans under the Agricultural Loans Act after the passing of the Amending Act;

(*b*) the average amount of loan asked for by the applicants;

(*c*) the number of applications entertained and loans sanctioned (talukwar); and

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[a] Printed as Appendix V on page 619 infra.
[b] Printed as Appendix VI on page 620 infra.

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(*d*) the average amount of loan actually given to those to whom loans were sanctioned?

A.—(*a*) *to* (*d*) A statement [a] is annexed. The Government have no information other than that contained in the statement.

Method of calculation of land revenue remission in the southern taluks of Salem for faslis 1344 *and* 1345.

* 254 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that in allowing remissions both general and incremental in the southern taluks of Salem district which have been recently resettled, one remission was deducted from the other remission, and the balance only was allowed as ultimate remission instead of adding both the remissions, and then deducting the sum total from the assessment due, in order to strike at the amount to be realized from a ryot in each of the faslis of 1344 and 1345;

(*b*) whether copies of the orders issued by the Collector to the Tahsildars in that district in the matter of calculating the remission in each of the faslis of 1344 and 1345, will be placed on the table;

(*c*) when the calculations have been finished and the amount of last instalment finally collected from the ryots in that district in each of these two faslis; and

(*d*) how long the karnams have been made to stay at the taluk offices in each of these faslis for calculating these remissions, and what is the amount of allowances paid to them for such stay in the taluk headquarters in each taluk for each of these two faslis?

A.—(*a*) The attention of the hon. Member is invited to the orders in G.O. No. 68, Revenue, dated 10th January 1935 and G.O. No. 306, Revenue, dated 12th February 1936, which were published for general information.

(*b*) The Government have not received copies of the orders referred to.

(*c*) *&* (*d*) The Government have no information.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. Member whether the Government will call for the information and see whether the matter is not really as complicated as is described in clause (*a*) of the question?"

The Hon. Sir CHARLES SOUTER:—"I think it would be far better if the hon. Member would address the Collector to rectify any error which may have been committed."

Mr. K. A. NACHIYAPPA GOUNDER:—"In view of the fact that a lot of confusion has arisen over the calculation of the rates of remission, owing to the fact that there are a number of remissions such as seasonal

[a] *Printed as Appendix VII on page 620 infra.*

remissions, incremental remissions and general remissions, will the Government be pleased to call for the information and look into the question?"

The Hon. Sir CHARLES SOUTER:—"I am not at all sure that the confusion which apparently Mr. Nachiyappa Gounder feels is necessarily felt by the Collector."

Land revenue realizations in Salem district during the faslis 1344 and 1345.

*255 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the total land revenue demand (without deducting remissions) in each taluk in Salem district for each of the faslis of 1344 and 1345 is;

(*b*) what the amounts under the heads of seasonal, general and incremental remissions (each separately) in each of the taluks of this district in each of these two faslis are;

(*c*) what net amount of land revenue (after deducting the remissions) realized in each taluk of this district in each of these two faslis is;

(*d*) what the orders which were taken as the basis for calculating the remissions in each of these faslis are; and

(*e*) whether a copy of each of them will be placed on the table?

A.—(*a*) *to* (*c*) The Government have no information other than that contained in the Report on the Settlement of the Land Revenue in the Madras Presidency for fasli 1344.

(*d*) *&* (*e*) The attention of the hon. Member is invited to the orders in G.O. No. 68, Revenue, dated 10th January 1935 and G.O. No. 306, Revenue, dated 12th February 1936, which were published for general information.

-30 Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. the
.m. Revenue Member whether the Government will get the information with regard to these points, because the Government Orders referred to do not give the information which I require?"

The Hon. Sir CHARLES SOUTER:—"All the information which is required is contained in these Government Orders."

Provincial Finance

Recommendations of the Retrenchment Committee not given effect to.

*256 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Finance be pleased to state the recommendations of the Retrenchment Committee constituted in 1932 which have not been given effect to by the Government, and what the reasons for the same are?

A.—A statement * is appended.

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Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Government really feel that, in the interests of the public, it is necessary to continue such appointments as Deputy Commissioners and Conservators of Forests which are more or less like post offices?"

The Hon. Sir GEOFFREY BRACKEN:—"It is for the Hon. Ministers to decide."

Mr. T. S. RAMASWAMI AYYAR:—"May I ask what is the ultimate saving expected as a result of the recommendations of the Retrenchment Committee and what is the saving that the Government have effected so far by giving effect to some of the recommendations?"

The Hon. Sir GEOFFREY BRACKEN:—"I am afraid I cannot give an answer to a comprehensive question like this off-hand. I must ask for notice."

Mr. T. S. RAMASWAMI AYYAR:—"May I know if the Government thinks that the imposition of stamp duty on cheques which once existed is not desirable?"

The Hon. Sir GEOFFREY BRACKEN:—"That matter, Sir, is under consideration; I think there is some force in what the hon. Member says."

Mr. BASHEER AHMED SAYEED:—"Will the Hon. Member be pleased to state whether the question of making the Official Assignee a whole-time officer with fixed pay, is being considered by the Government?"

The Hon. Sir GEOFFREY BRACKEN:—"Yes; it was considered."

Mr. BASHEER AHMED SAYEED:—"Shall I repeat the question? May I know if the question of making the Official Assignee a whole-time Government servant with fixed pay is being examined by the Government?"

The Hon. Sir GEOFFREY BRACKEN:—"I believe that question has been examined."

Mr. V. M. RAMASWAMI MUDALIYAR:—"Arising out of the appendix, what public interest suffers by the move of Government to the hills being limited to one stay of four months, may I know?"

The Hon. Sir GEOFFREY BRACKEN:—"I am afraid, Sir, that the question will have to be addressed to the Hon. Member in charge of the subject."

Mr. T. C. SRINIVASA AYYANGAR:—"May I ask the Hon. Member if the question of Official Receivers in the whole Presidency is receiving attention with reference to converting the appointments as a part of the permanent judiciary, so that Munsifs may be asked to do this work?"

The Hon. Sir GEOFFREY BRACKEN:—"Notice."

Mr. BASHEER AHMED SAYEED:—"Has the Government consulted the High Court in the matter of making the Official Assignee's post a whole-time Government job?"

The Hon. Sir GEOFFREY BRACKEN:—"Notice."

Mr. T. S. RAMASWAMI AYYAR:—" In view of certain deficiencies that have been detected in the Madras Small Cause Court and other Courts, may I know whether the Government will not consider the desirability of having a small establishment to detect deficiencies in court-fee stamps in the mufassal courts also? "

The Hon. Sir GEOFFREY BRACKEN:—" Notice."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Will the Hon. Member be pleased to state whether the Government have made any representations to the Secretary of State to reduce the scales of pay of listed posts so that we may effect some retrenchment and saving? "

The Hon. Sir GEOFFREY BRACKEN:—" Notice."

Mr. BASHEER AHMED SAYEED:—" Will the Government take the House into their confidence? Have not the proposals referred to in the appendix for the imposition of fees on import of foreign liquor been considered? "

The Hon. Sir GEOFFREY BRACKEN:—" A new arrangement has been made."

Mr. BASHEER AHMED SAYEED:—" May I know whether retrenchment can be effected by this arrangement to the extent of Rs. 1 lakh? "

The Hon. Sir GEOFFREY BRACKEN:—" Notice."

Reforms

Estimated increase of expenditure due to the inauguration of the reforms.

* 257 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Member for Finance be pleased to state—

(*a*) the initial cost and the additional annual expenditure due to the establishment of the new reforms in this province according to the latest estimates; and

(*b*) whether the increase in expenditure will necessitate any additional taxation?

A.—(*a*) According to the latest estimates, the initial cost on account of the introduction of the new constitution in this Province is expected to be about Rs. 33,34,000 and the additional annual expenditure about Rs. 5,45,000.

(*b*) No.

Mr. A. B. SHETTY:—" Will the Hon. Member be pleased to state, when Federation comes to be established, whether there will be any increase in the expenditure as estimated at present? "

The Hon. Sir GEOFFREY BRACKEN:—" I am afraid I cannot follow the hon. Member."

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Mr. A. B. SHETTY:—" When Federation comes to be established, will there be any addition to the expenditure as estimated at present and whether it will be chargeable to provincial revenues? "

The Hon. Sir GEOFFREY BRACKEN:—" The estimated non-recurring expenditure falls under two main heads; elections which have been provided for in the present year's budget and the new Parliamentary House, expenditure for which to some extent will be incurred next year; a greater part of it will be met under the new Constitution."

Mr. ABDUL HAMEED KHAN:—" In view of the fact that our budget for the current year is a balanced budget, how are the Government going to find this money—Rs. 33 lakhs for initial expenditure and Rs. 5 lakhs for recurring expenditure? "

The Hon. Sir GEOFFREY BRACKEN:—" A sum of about 15 lakhs has been provided in the current year's budget."

Mrs. A. RUKMANI LAKSHMIPATHI:—"May I know whether Federation is likely to come off at all? What is the opinion of the Hon. Finance Member as to when it will be started? "

The Hon. Sir GEOFFREY BRACKEN:—" I have no views on that subject."

Mr. G. RAMESWARA RAO:—" Will the Hon. Member be pleased to state whether the additional annual expenditure of Rs. 5 lakhs is to be a permanent burden or whether retrenchment would be effected and the amount made up? "

The Hon. Sir GEOFFREY BRACKEN:—" The main item of non-recurring expenditure is connected with the preparation of the electoral rolls; another considerable item is allowances of all kinds to the Hon. Members of the Assembly and the Council."

Mr. G. RAMESWARA RAO:—" Will the amount be found by retrenchment in different directions or will it be an additional permanent burden upon the State? "

The Hon. Sir GEOFFREY BRACKEN:—" That will be for the hon. Members of the future legislatures to determine."

Proposal for the appointment of a Cabinet Secretary under the Reformed Constitution.

*258 *Q.*—Mr. V. T. ARASU: Will the Hon. the Member for Finance be pleased to state whether there is any proposal now under consideration of Government for the creation of a new post of Secretary to the Cabinet under the reformed scheme of Government?

A.—No.

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Number of voters on the Preliminary Electoral Rolls relating to the General Constituencies of the Provincial Legislative Assembly.

* 259 *Q.*—Mr. V. T. Arasu: Will the Hon. the Member for Finance be pleased to state—

(*a*) the total number of voters according to the preliminary roll, in each of the general constituencies for the new Provincial Legislative Assembly; and

(*b*) whether in respect of any of the above constituencies the difference between the estimated number and the number actually found in the preliminary roll is over 25 per cent?

A.—(*a*) & (*b*) A statement [a] showing the estimated number of voters and the number on the preliminary roll for each constituency is appended. An excess of over 25 per cent of the estimated number occurs in 14 constituencies and a deficiency of over 25 per cent in six.

Mr. V. M. Ramaswami Mudaliyar:—" Where the difference is more than 25 per cent, may I know if the Collectors have been asked to look into the matter when objections and claims are filed? "

The Hon. Sir Geoffrey Bracken:—" Yes, Sir; Collectors have been asked to look into the matter in any constituency where the numbers fall below the estimate? "

Analysis of the voters' lists for the Provincial Legislative Assembly.

* 260 *Q.*—Mr. A. B. Shetty: Will the Hon. the Member for Finance be pleased to state—

(*a*) the number of Hindu, Muslim, Christian and scheduled caste voters for the Provincial Assembly enrolled in each district and what percentage they form to the total population of each community (figures for each community to be given separately);

(*b*) the number of women voters enrolled and the proportion they bear to the men voters in each district; and

(*c*) the number of literate voters enrolled in each district and where it has fallen short of the estimated number?

A.—(*a*), (*b*) & (*c*) The particulars [b] are given in Statements I and II appended. Statement II gives the number of persons enrolled on the literacy qualification alone in the constituencies specified. The literacy qualification was prescribed to supplement enrolment with reference to other qualifications; and no estimate was ever framed of the number of persons in each district who would be enrolled only on the literacy qualification.

[a] Printed as Appendix IX on pages 627–629 infra.
[b] Printed as Appendix X on pages 629–630 infra.

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Mr. A. B. SHETTY:—" Will the Hon. Member be pleased to state if it is not the intention of Government to enfranchise 10 per cent of the scheduled castes? "

The Hon. Sir GEOFFREY BRACKEN:—" Ten per cent is the figure aimed at; in some districts that percentage is exceeded."

Method of voting to be followed in the elections to the Provincial Legislative Assembly and the Legislative Council.

* 261 *Q*.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(*a*) what is the method proposed to be adopted in the matter of polling of votes by the illiterate persons in the coming elections to the Provincial Legislative Assembly and Council;

(*b*) what is the method proposed to be employed for recording the votes of blind persons in the said elections;

(*c*) what is the method proposed to be employed in the case of literate voters in the said elections; and

(*d*) whether such a system has already been experimented upon and, if so, when and where and with what result?

A.—(*a*) & (*c*) In personal vote constituencies it is proposed to adopt for literate as well as illiterate persons the coloured box system which is explained in paragraph 743 of the Indian Delimitation Committee's Report, Volume I.

(*b*) The presiding officer will be required to ascertain from the elector the candidate or candidates for whom he wishes to vote and then, in the presence of any candidate or polling agent who may be present, place the ballot paper or papers in the box bearing the colour assigned to the candidate or candidates.

(*d*) The system referred to in the answer to clauses (*a*) and (*c*) was adopted with satisfactory results in 1931-32 and in 1934 in connexion with elections to 98 panchayat boards in this Presidency. The Government also understand that this system has been in use in Ceylon and has also been tried with some measure of success in certain parts of India, for example, Bihar and Orissa, and the Central Provinces.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Member whether it will be possible for illiterate voters in the rural areas to distinguish the colours? "

The Hon. Sir GEOFFREY BRACKEN:—" I do not think that in rural areas people are so illiterate as not to be able to distinguish black from white."

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Mr. K. A. NACHIYAPPA GOUNDER :—" It is not a question of distinguishing the white colour from black or black from white; there will be a large number of colours as there will be a large number of candidates; will the illiterate voters in the rural areas be able to distinguish all the colours? "

The Hon. Sir GEOFFREY BRACKEN :—" They will be able to distinguish not only black from white but also red from yellow."

Control of Books

Proscription of the Tamil book " Mahatma Gandhi Adigal Ashtothra Satakam Jeevacharitra Sangraham."

* 262 *Q.*—MRS. A. RUKMANI LAKSHMIPATHI : Will the Hon. the Home Member be pleased to state—

(*a*) whether it is a fact that the Tamil book called " Mahatma Gandhi Adigal Ashtothra Satakam Jeevacharitra Sangraham " written by Mr. Doraiswami Pillai of Kalathur, Tanjore district, has been proscribed;

(*b*) if so, the reasons for so doing;

(*c*) what the objectionable passages or words therein are;

(*d*) whether it is a fact that the Government have refused even to consider the author's offer to delete the objectionable portions from his book; and

(*e*) whether it is a fact that in the case of the Telugu book " Mahatma Niti Manjari " proscribed on 27th March 1934 the Government undertook to do so after the author's offer to delete the objectionable passages?

A.—(*a*) & (*b*) Yes. Because the book contained matter, the publication of which was punishable under section 124-A of the Indian Penal Code.

(*c*) There are many objectionable passages scattered throughout the book. The Government are not prepared to specify them.

(*d*) The author offered to delete the objectionable portions of the book if they were pointed out to him. The Government considered that there was no need for them to point out the objectionable passages and that the author could find them for himself. He was accordingly informed that his request would not be granted.

(*e*) The attention of the hon. Member is invited to the answers given to the Legislative Council question No. 525 on the 25th January 1935.

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Mrs. A. Rukmani Lakshmipathi:—" Will the Government be pleased to specify the objectionable portions? "

The Hon. Mr. C. F. Brackenbury:—" The Government do not propose to publish what they have themselves proscribed."

Mrs. A. Rukmani Lakshmipathi:—" Will the Government point out the objectionable passages in the book when the author of the book is willing to delete them? "

The Hon. Mr. C. F. Brackenbury:—" I may refer the hon. Member to answer (*d*) in which the view of the Government has been clearly explained. There is no need to point out the objectionable passages; the author can find out for himself."

Mr. V. M. Ramaswami Mudaliyar:—" No view of the Government has been given in answer (*d*)? "

The Hon. Mr. C. F. Brackenbury:—" I would ask the hon. Member to read it once again and he will find the answer."

Control of Vehicles

Alleged circular of the Inspector-General of Police to bus plyers against the payment of 'mamool' to the police.

* 263 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Home Member be pleased to state—

(*a*) whether it is a fact that a circular has been issued by the Inspector-General of Police warning the hire bus people from paying any mamool to the police;

(*b*) if so, whether a copy of it will be placed on the table;

(*c*) whether any circular has been issued in the past and now warning the police people from receiving any mamools from the bus people or otherwise;

(*d*) if so, whether copies of them will be placed on the table; and

(*e*) what effective steps have been or are being taken to enforce such circulars?

A.—(*a*) & (*c*) Yes.

(*b*) & (*d*) A copy [a] of the circular is appended.

(*e*) No special steps have been taken to enforce compliance with the terms of the circular.

Mr. K. A. Nachiyappa Gounder:—" As it has become a mamool, is it not necessary that attempts should be made to put an end to this by taking some special steps to see that the circular is observed? "

The Hon. Mr. C. F. Brackenbury:—" Until the contrary is proved, we presume that the circular issued to Government servants is obeyed."

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[a] Printed as Appendix XI on page 630 infra.

B. POCKER SAHIB Bahadur:—"How many instances are there of Police subordinates who have been dismissed for disobeying the circular?"

The Hon. Mr. C. F. BRACKENBURY:—"Notice."

Mr. BASHEER AHMED SAYEED:—"If the Government Orders are not found effective in carrying out the purpose for which they are intended, does the Government propose to take other steps to make the orders effective?"

The Hon. Mr. C. F. BRACKENBURY:—"Further orders will be issued."

Regulation of timings for buses plying for hire.

*264 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

(*a*) whether any steps have been taken or are proposed to be taken to introduce fixed times for the starting and arrival of hire buses at various places in Salem district;

(*b*) if so, what they are and when such a system is likely to be brought into being there;

(*c*) whether such a system prevails in the districts of Coimbatore, Trichinopoly, South Arcot, etc.;

(*d*) what the names are of districts where such a system is not in vogue; and

(*e*) what the reasons are for not having a uniform system in this behalf?

A.—(*a*) & (*b*) The Government understand that the question has been considered by the District Superintendent of Police and the District Magistrate, and that it was decided not to prescribe schedules of timings at present.

(*c*) Yes, in Coimbatore, Trichinopoly and South Arcot.

(*d*) The Government have no information.

(*e*) The powers conferred under the Madras Motor Vehicles Rules, 1924, on the authorities granting G permits to frame schedules of timings for motor buses plying for hire on routes, where the uncontrolled running of such vehicles is likely to cause annoyance or danger to the public, are exercised at the discretion of those authorities.

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to answer to clauses (*a*) and (*b*), what are the difficulties that are felt by some districts in adopting that system?"

The Hon. Mr. C. F. BRACKENBURY:—"Conditions obtaining in one district may not obtain in another."

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Mr. K. A. NACHIYAPPA GOUNDER :—" What are the special conditions that prevent this wholesome method being adopted in Salem district? "

The Hon. Mr. C. F. BRACKENBURY :—" Notice."

Limiting the number of buses plying for hire in the Coimbatore district.

* 265 *Q*.—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Home Member be pleased to state—

(*a*) whether the system of limiting the number of hire buses on each road according to the requirements is being adopted in Coimbatore district;

(*b*) in which of the other districts such a system is also being followed and in which of the districts it is not;

(*c*) what the reasons are for not having a uniformity in this matter;

(*d*) whether the hire buses providing inter-district communication or passing through more than one district are given preference over others in limiting the hire buses on each road in Coimbatore and other districts where such a system is being adopted;

(*e*) if not, whether representations have been received for so doing; and

(*f*) if so, from whom and how they have been disposed of?

A.—(*a*) *to* (*c*) The attention of the hon. Member is invited to the orders in G.O. No. 1741, Law (General), dated 7th June 1934, a copy of which is in the Legislative Council library. As far as the Government are aware, these orders are being followed in all districts.

(*d*) According to the orders referred to above, the authorities concerned are required to determine the routes upon which motor vehicles shall be allowed to ply for hire and the number of motor vehicles to be allowed on each road.

The routes may be inter-district routes or may lie entirely within the district. In either case, once the route is settled, the question of preference does not arise. The Government have no reason to suppose that the requirements of inter-district traffic do not receive due consideration when the routes are determined.

(*e*) No.

(*f*) Does not arise.

Forests

Withdrawal of the concession for the free removal of green manure fro the Baindur and Serpanamane reserve forests in South Kanara.

* 266 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Home Member pleased to state—

(*a*) whether a copy of the Government Orders passed this ye regarding the restoration of certain concessions in the reserved fores in South Kanara will be placed on the table of the House;

(*b*) whether the free removal of green leaves from Baindur a Serpanamane reserves has been put a stop to after the passing of t above orders;

(*c*) if so, whether the cancellation of this concession is due to a abuse of the concession by the people; and

(*d*) whether the Government have made any enquiry to find o if the ryots of the neighbouring villages have sufficient revenue fore or kumki lands from which they can get manure leaves?

A.—(*a*) A copy of G.O. No. 963, Development, dated the 15th Ju 1936, has been placed on the table of the House sep rately.

(*b*) No orders have been issued withdrawing the concessio from Baindur and Serpanamane Reserved forests. B out of a total area of 3,642 acres in Baindur Reser about 312 acres have been closed on silvicultu grounds. The villagers are therefore enjoying the co cessions in both the reserves except in the small porti referred to above.

(*c*) & (*d*) Do not arise.

Mr. A. B. SHETTY:—" With reference to answer (*a*), may I poi out to the Hon. Member that no copy of the said Government Order h been placed on the table here? "

The Hon. Mr. C. F. BRACKENBURY:—" I will look into it."

Mr. A. B. SHETTY:—" It is stated in answer (*b*) that 312 acres ha been closed. May I ask whether these forests adjoin lands under cu tivation and whether any inconvenience will be caused to the ryots?

The Hon. Mr. C. F. BRACKENBURY:—" I am afraid I must ask f notice."

Local Self-Government

Visits to schools by members of district boards.

* 267 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. t Minister for Local Self-Government be pleased to state—

(*a*) whether Government Orders have been passed in the matt of visits of schools by the members of the district boards; and

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(b) if so, whether copies of them will be placed on the table, and what the reasons are for issuing the said Government Orders?

A.—(a) Yes.

(b) A copy [a] of the order which contains the reasons is placed on the table.

Representation of Vannikula Kshatriyas in the cadre of Municipal Commissioners and District Panchayat Officers.

*268 Q.—Rao Bahadur Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state the number of applications received from the Vannikula Kshatriya candidates and the number selected with their names, for the last five years in the following appointments with the total selected as Municipal Commissioners, District Panchayat Officers?

A.—The collection of this information will involve an amount of labour which in the opinion of the Government will be quite disproportionate to any useful purpose which may be served.

Rao Bahadur Subadar-Major S. A. NANJAPPA Bahadur:—"May I know if the collection of information will not be useful?"

The Hon. the RAJA OF BOBBILI:—"I may state for the information of the hon. Member that recently a member of the community has been appointed."

Rao Bahadur Subadar-Major S. A. NANJAPPA Bahadur:—"Do the Government want to wipe out this community? Will they not help the community?"

The Hon. the RAJA OF BOBBILI:—"The policy of the Government is to give all possible facilities to backward communities."

Religious and Charitable Endowments

Proposals for the provincialization of the Hindu Religious Endowments Board.

*269 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are any proposals for provincializing the Hindu Religious Endowments Board;

(b) whether any committee was constituted hitherto to reorganize the Hindu Religious Endowments Board; if so, what their proposals are; and

(c) (i) the amount the Hindu Religious Endowments Board still owes the Government; (ii) the interest at which the loan was granted to the Board; (iii) the total interest accrued and unpaid till now; and (iv) whether the Board has paid any portion of the said loan; if so, the years in which it was paid?

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[a] Printed as Appendix XII on page 631 infra.

A.—(*a*) No.

(*b*) The Government have recently appointed a Committee to evolve a scheme for enlarging the scope of the Hindu *Religious Endowments Act, 1926,* so as to include Muslim endowments also and to place the administration of both the Hindu and the Muslim endowments under a single Board. The Committee has not yet submitted its proposals.

(*c*) (i) Rs. 3,02,500 towards principal.

(ii) $5\frac{3}{4}$ per cent per annum.

(iii) Rs. 1,76,353 up to 31st January 1936 (after taking into account the sum of Rs. 14,344 paid in 1935).

(iv) The Board has paid—
Rs. 11,344 in February 1935.
Rs. 3,000 in July 1935.
Rs. 35,000 in May 1936.
Rs. 35,000 in July 1936.
Rs. 30,000 in August 1936.

Mr. P. V. KRISHNAYYA CHOUDARI :—" With reference to answer (*b*), is it not a fact that a committee was constituted by the previous Minister in the year 1926 to enquire into the question of provincializing the Religious Endowments Board and its establishment? "

The Hon. the RAJA OF BOBBILI :—" A committee was appointed; but I do not think any definite decision was arrived at, from a perusal of the papers."

Mr. C. INDRAYYA :—" With refereuce to answer (*c*), will the Government consider the desirability of writing off the loan? "

The Hon. the RAJA OF BOBBILI :—" I do not think it will be possible to write off the loan altogether. The question of writing off a portion of the first loan may be considered."

Mr. B. POCKER SAHIB :—" With reference to answer (*b*), that the object of the Government in appointing the committee is to include Muslim endowments also, may I know if the Government propose to make the Board a solvent body? "

The Hon. the RAJA OF BOBBILI :—" The hon. Member knows as much as I do the reasons why this committee has been appointed, to enlarge the scope of the Board. I shall be glad if the financial position thereby improves. The main object of this is to satisfy the wishes of the Muslim community."

Mr. B. POCKER SAHIB :—" May I ask whether the Government is aware that the Muslim community is entirely opposed to the inclusion of the Muslim endowments within the scope of the present Board? "

The Hon. the RAJA OF BOBBILI :—" There is no idea of including the Muslim wakfs and endowments in the Board as it is at present constituted."

stablishment of a provident fund for the benefit of the servants of the Hindu Religious Endowments Board.

* 270 *Q.*—MR. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the :inister for Local Self-Government be pleased to state—

(*a*) whether the Hindu Religious Endowments Board has estab- shed contributory provident fund for its officers and servants;

(*b*) if not, why it has not been started till now;

(*c*) whether it is a fact that the Government have been raising ›jections to the establishment of a system of non-contributory provi- ent fund as suggested by the Board;

(*d*) why the cut in the salary of the members of the staff of the oard is retained, though a similar cut in the salary of the Commis- oners of the Board has been removed; and

(*e*) whether the Board has granted bonus or any other remunera- on to the families of the deceased members of the staff; if not, why ıch concession has not been shown?

A.—(*a*) No.

(*b*) The scheme involves an addition to the financial commitments of the Board and it was considered that before undertaking fresh commitments the Board should devote any surplus funds available to the repayment of the Government loans and to the removal of the cut in the salaries of its employees.

(*c*) The draft rules submitted by the Board in regard to the establishment of a non-contributory provident fund were found to involve the guaranteeing by the Board of a minimum rate of interest on contributions and certain other financial commitments. The Government were not prepared to agree to this. The question has since been dropped as the Board after consulting its employees reported that a scheme without these implications would not be worth introduction or really popular among the employees.

(*d*) The question of removing the cut in respect of the subordinate staff is under consideration.

(*e*) The Government have no information.

MR. P. V. KRISHNAYYA CHOUDARI:—"May I ask if the Govern- ıent do not propose to provincialize the establishment of the subordi- ate services of the Endowments Board?"

The Hon. the RAJA OF BOBBILI:—"As far as I know, the question of provincialization of the Board has not been considered by the Board. My personal fear is that the present Endowments Board cannot possibly look after Muslim endowments also. A stronger case for provincializing the Board will be necessary."

Mr. P. V. KRISHNAYYA CHOUDARI :—" Is it not a fact that a large amount of arrears has accumulated for want of proper collection on account of the defects in the Act? "

The Hon. the RAJA OF BOBBILI :—" As far as I can see, there are no defects in the Act as it is at present. Some loss was detected before the original Act was amended."

Sanitary Engineering

Progress of the scheme for the supply of drinking water from Mettur to Salem.

* 271 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the work of preparation of the plans and estimates for the drinking water-supply from Mettur to Salem town has been completed and the plans and estimates submitted to the Government;

(*b*) if so, when; and if not, at what stage the work is and when they will be submitted;

(*c*) what steps have been taken for the allotment of funds for the scheme, and when the works will be actually started;

(*d*) what the cost is of the scheme as per correct estimates and what the estimated time is within which the work may be completed;

(*e*) whether this scheme is to cover the whole of the Salem municipal area;

(*f*) if not, what the reasons therefor are, and what the area is this scheme is expected to cover;

(*g*) how many house connexions and street pipes (each separately) this scheme is expected to have and what the estimated consumption of water per day is; and

(*h*) what the estimated annual maintenance cost of the scheme is as per figures of the estimate and what the cost allotted for electric power alone is?

A.—(*a*) Yes.

(*b*) On 10th August 1936.

(*c*) The question of allotting necessary funds for the scheme will be considered as soon as the financing of the scheme is settled and final orders are passed on the estimates. All possible steps are being taken to arrive at an early decision in the matter in consultation with the Municipal Council. In the meantime the Sanitary Engineer has been requested to report whether the work can be started in the current year itself, if final orders are passed on the scheme.

(*d*) The capital cost of the scheme is estimated at Rs. 24 lakhs and the annual maintenance charges at Rs. 60,400. The work is expected to be completed in four years.

(e) & (f) The water-supply scheme from Mettur is proposed to be utilized in addition to the existing source. The supply from the existing source will be confined to the area near to it and the remaining portions of the town will derive the supply from Mettur source. The former area can also be supplied from Mettur scheme whenever necessary.

(g) The number of street public fountains and house service connexions that can be provided depend upon the necessity or demand therefor. The proposed scheme together with the existing source should supply 15 gallons per head per day for an ultimate population of 130,000.

(h) The annual maintenance cost is estimated at Rs. 60,400, the cost of electrical energy alone being Rs. 34,700.

Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask why the Hon. the Minister has not yet come forward with a supplementary demand during the meeting as was promised by him at the time of the budget in March last in connexion with this matter? " 11-45 a.m.

The Hon. the RAJA OF BOBBILI :—" It was expected that the plans and estimates would be ready before this meeting; still, I shall make every endeavour to see that this comes up at the next meeting of the Council."

Provision of additional funds for the Salem Water Works.

* 272 *Q.*—Rao Bahadur Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state whether any additional allotment is made or will be made for expenses in connexion with the drinking water-supply to Salem town from Mettur dam this year?

A.—No.

Rao Bahadur Subadar-Major S. A. NANJAPPA Bahadur :—" May I know why, when I understand that all the arrangements are ready, including plans and estimates, the Government have not started the work? "

The Hon. the RAJA OF BOBBILI :—" As soon as all the preliminary arrangements are ready, I may assure the hon. Member there will be no delay on the part of the Government in providing the necessary funds."

Proposals regarding the drinking water and drainage schemes of the Panchayat Board, Rasipuram, Salem district.

* 273 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are any proposals with regard to the drainage and drinking water-supply schemes relating to Rasipuram Panchayat Board in Salem district, pending with or under the consideration of the Government; and

(*b*) if so, what they are and when they are likely to be accomplished?

A.—(*a*) & (*b*) No proposal has come up to Government in the matter.

Proposals regarding the drinking water and drainage schemes of the Panchayat Board, Idappadi, Salem district.

* 274 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether there are any proposals regarding the drainage and water-supply schemes relating to Idappadi Panchayat Board in Salem district pending with or under the consideration of the Government; and

(*b*) if so, what they are and when they are likely to be accomplished?

A.—(*a*) & (*b*) No proposal has come up to Government regarding the drainage scheme for the Idappadi Panchayat.

As regards the water-supply scheme for the panchayat, attention is invited to the answers to clauses (*b*), (*c*) and (*d*) of question No. 774 answered in this Council on 25th February 1936.

Scheme for the supply of drinking water to Jalakantapuram, Taramangalam and Omalur in Salem district.

* 275 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the drinking water-supply schemes for the towns of Jalakantapuram, Taramangalam and Omalur in Salem district have been tackled along with the preparation of plans and estimates for the drinking water-supply from Mettur to Salem town; and

(*b*) if so, what the estimated cost with regard to each of those towns is, and whether these works are also to be undertaken now, and if not, when?

A.—(*a*) & (*b*) The question of including these schemes in the main scheme and of preparing plans and estimates for them will be considered after the ability of the panchayat boards concerned to finance their respective schemes is decided. The reply of the President, District Board, Salem, to a reference on the subject is awaited.

The estimated cost of each scheme and the maintenance charges are shown below:—

Name of the town.	Cost of the scheme.
(1) Jalakantapuram ..	77,000 to instal and 16,500 per annum to maintain.
(2) Taramangalam ..	27,500 to instal and 16,100 per annum to maintain.
(3) Omalur	93,000 to instal and 16,300 per annum to maintain.

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Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask the Hon. the Minister whether the figures given for each of these three places are on the basis of Re. 1–4–0 for every 1,000 gallons, or whether the rate is less?"

The Hon. the RAJA OF BOBBILI :—" The same rate has been fixed for all the places."

Mr. K. A. NACHIYAPPA GOUNDER :—" Originally the rate proposed was Re. 1–4–0 per 1,000 gallons; subsequently I heard that it has been reduced. I want to know whether the original rate has been adopted here?"

The Hon. the RAJA OF BOBBILI :—" I must ask for notice of the question."

Progress of the drainage scheme of the Dharmapuri Panchayat Board, Salem district.

* 276 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) at what stage the proposals for a consolidated drainage scheme of the Dharmapuri Panchayat Board in Salem district are; and

(*b*) what the estimated cost is of the scheme, and when it is likely to be taken up and accomplished?

A.—(*a*) & (*b*) The estimated cost of a drainage scheme for the Dharmapuri Panchayat is Rs. 84,000 to instal and Rs. 1,200 per annum to maintain. The question of investigating the scheme was dropped in 1935, as the panchayat board was not in a position to finance its share of the scheme on the usual half-grant basis. The question will be taken up again, if and when the panchayat board agrees to finance its share of the scheme either solely from its own funds or with the aid of a contribution from the district board.

Acceleration of the scheme for the provision of a protected water-supply to the Vizagapatam municipality.

* 277 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the Government are aware that the citizens of Vizagapatam town are suffering to a considerable extent due to the scarcity of drinking water supply;

(*b*) whether the local municipality submitted plans and estimates for the supply of drinking water from Mayghadri gedda or from some other convenient source;

(*c*) whether the municipality urged for the early sanction in view of the dire need for it;

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(d) whether it is a fact that Mr. G. V. Rao, the Sanitary Engineer, visited the spot and after approving the scheme of the municipality recommended to the Government that it is an indispensable need to the people of the locality;

(e) whether the Government are contemplating to move a supplementary grant so as to start the work immediately;

(f) if not, at what stage their enquiries are; and

(g) when the work will be executed?

A.—(a) to (g) Yes. The Sanitary Engineer has since submitted plans and estimates for the scheme and the municipal council is being addressed regarding the financing of the scheme. It is also proposed to move a supplementary demand so as to start the work in the current year. The scheme is expected to be started in the current year.

Rao Sahib Pandit GANALA RAMAMURTI:—"May I know what is the source from which it is proposed to make the supply available?"

The Hon. the RAJA OF BOBBILI:—"The hon. Member may be aware that a supplementary demand has been recently passed for the purpose."

Agriculture

Training of young men in agriculture as a measure of relieving unemployment.

*278 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the Government's proposals to solve the unemployment problems among agricultural communities;

(b) whether there are any proposals to train unemployed young men from among the landed class in short agricultural course;

(c) if so, what the qualifications fixed for the candidates are;

(d) the reasons for fixing the same; and

(e) what allotment is made towards this?

A.—(a) Unemployment among agriculturists is only seasonal. The Government have no proposals immediately under consideration to find work for them during the off-season.

(b) Yes.

(c) The minimum qualification prescribed is a pass in the Secondary School-Leaving Certificate Examination.

(d) A line had to be drawn somewhere as the scheme is intended as an experiment at finding a solution for the problem of unemployment among the educated classes.

(e) It is proposed to provide Rs. 9,000 for the purpose.

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Mr. P. V. KRISHNAYYA CHOUDARI :—" In view of the poverty of the people, are the Government prepared to evolve any scheme for creating some work in the off-season for the agriculturists? "

The Hon. Mr. P. T. RAJAN :—" Government will just tell the people what cottage industries could be taken up by them if they wanted to supplement their income."

Mr. T. S. RAMASWAMI AYYAR :—" May I know whether the Government's plan to educate a few people, spending Rs. 9,000 will only make the educated unemployed a separate class of agricultural unemployed? "

The Hon. Mr. P. T. RAJAN :—" I do not think so, because this is only an attempt to give some relief to those who require help and who are unemployed."

Mr. G. RAMESWARA RAO :—" May I know whether S.S.L.C. as the minimum qualification is a very constant factor or whether discretion is given to any officer to give exemptions? "

The Hon. Mr. P. T. RAJAN :—" As far as I know, S.S.L.C. is the minimum qualification fixed for the present."

Mr. K. KOTI REDDI :—" May I know whether Government are aware that the sons of agricultural communities whom Government want to help in this way are more desirous of entering Government service and do not want to go back to the land? "

The Hon. Mr. P. T. RAJAN :—" Training will be given only to those who wish to go and improve their lands, and not to those who want to enter service."

Mr. K. KOTI REDDI :—" May I know how the Government are going to relieve unemployment by this means then? "

The Hon. Mr. P. T. RAJAN :—" To the extent we can."

Establishment for watching the tobacco crop in Santaravur.

* 279 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI : Will the Hon. the Minister for Public Works be pleased to state whether any establishment has been sanctioned for watching the tobacco crop in Santaravur and, if so, the total cost of its maintenance?

A.—No.

Maintenance of stud bulls at different centres.

* 280 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether District Collectors have been asked to see that stud bulls are kept at different centres in the district;

(*b*) whether any increased provision has been made for giving premium to those who maintain bulls; and

(*c*) what number of bulls of different breeds are available for sale at Hosur and other Government stations?

A.—(*a*) No.

(*b*) Yes.

(*c*) The information is furnished below:—

Stations.	Kangayam.	Scindhi.	Crossbred.	Ongole.
Hosur	25	13	4	..
Koilpatti	6	..	..	..
Kalahasti	..	..	..	1
Hagari	..	..	..	2
Guntur	..	..	..	3
Total ..	31	13	4	6

Mr. A. B. SHETTY:—" May I know what increased provision has been made for giving premium to those who maintain bulls? "

The Hon. Mr. P. T. RAJAN:—" Probably, if I give figures for the last three or four years, my friend can understand:

	RS.
In 1933–34	6,152
In 1934–35	7,513
In 1935–36	11,500
In 1935–36	12,500 "

Mr. A. B. SHETTY:—" May I know whether there is at present a large demand for stud bulls? "

The Hon. Mr. P. T. RAJAN:—" Yes, Sir."

Industries

Advance of a loan under the State Aid to Industries Act to a sugar factory in the East Godavari district.

* 281 *Q.*—Mr. V. T. ARASU: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that a loan of Rs. 50,000 was recently given by Government to a sugar factory in the Godavari district under the State Aid to Industries Act; and

(*b*) on what basis this loan was sanctioned; whether it is on the basis that the sugar industry is a new industry, or whether it is on the basis that it is a nascent industry?

A.—(*a*) Yes.

(*b*) The loan was sanctioned under clause (*b*) of sub-section (1) of section 5 of the Act as Government considered that the manufacture of sugar from cane was an undeveloped industry in the East Godavari district.

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Public Works

Nominal list, with qualifications, of applicants for the post of Special Architect for the construction of the new Parliament buildings.

* 282 *Q.*—Mr. V. T. Arasu: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the names together with their respective qualifications, of those who have applied for the post of the Special Architect to the new Legislative Council buildings;

(*b*) the name of the gentleman who was eventually selected for the job; and

(*c*) the special consideration or considerations which prevailed with Government in the selection of that gentleman?

A.—(*a*) The Government consider it undesirable to publish the names of the applicants.

(*b*) & (*c*) A final decision has not yet been reached.

Mr. Abdul Hameed Khan:—" May I know why the Government consider it undesirable to publish the names of the applicants? "

The Hon. Mr. P. T. Rajan:—" It is not in the public interests to publish their names."

Mr. Abdul Hameed Khan:—" May I know whether on a former occasion, the Government had no objection to give the information? "

The Hon. Mr. P. T. Rajan:—" In this case no final orders have issued as yet; otherwise the information would be given."

Mr. Abdul Hameed Khan:—" May I know when a final decision will be reached? "

The Hon. Mr. P. T. Rajan:—" Orders have not issued yet."

Mrs. A. Rukmani Lakshmipathi:—" May I know, if an architect is to be appointed from England, why in view of the unemployment here, it will not be advisable to appoint an Indian to this post? "

The Hon. Mr. P. T. Rajan:—" I cannot give out exactly what the Government have decided before orders issue."

Registration

Alleged complaints against the District Registrar, Trichinopoly.

* 283 *Q.*—Mr. V. T. Arasu: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether any complaints have been received either by Government or by the Inspector-General of Registration from the President of the Panchayat Board, Aravakurchi (Trichinopoly district), and certain others making certain allegations against the District Registrar of Trichinopoly;

(b) if so, what is the nature of the allegations made; and

(c) what action Government have taken or propose to take on those complaints?

A.—(a) Yes, by the Government.

(b) That the District Registrar refused an interview to certain members of the public, while allowing access to a particular individual on the opposite side.

(c) The representation was forwarded to the Inspector-General of Registration for disposal.

Veterinary

Measures for checking the prevalence of diseases among cattle in the Kurnool district.

* 284 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the Hon. the Minister for Public Works be pleased to state—

(a) what special steps have been taken to stop rinderpest and other cattle diseases in the Kurnool district and particularly in Cumbum and Markapur taluks; and

(b) whether any special staff has been appointed to look after the work?

A.—(a) & (b) There are four veterinary institutions and six touring assistants in the district. One of these touring veterinary assistants has been stationed at Giddalore to attend to veterinary work in the Cumbum taluk and another at Markapur for the Markapur taluk. The Kurnool district was recently covered by the propaganda van of the Veterinary department, the van being in charge of a Veterinary Assistant Surgeon. Further, two veterinary assistants have been deputed to the Nallamalais in the Cuddapah and Kurnool districts to inspect the cattle pentas with special reference to the contagious diseases prevailing there. The success which preventive inoculation against rinderpest has achieved in the district is made clear by the number of deaths from rinderpest during the year 1935–36. These were seven only.

S. M. K. BEYABANI SAHIB Bahadur:—" May I know whether any dispensaries have been established in the Kurnool district for this purpose? "

The Hon. MR. P. T. RAJAN:—" As the answer states, four dispensaries have been instituted and six assistant touring veterinary assistants are working in the district."

S. M. K. BEYABANI SAHIB Bahadur:—" May I know whether it will not be better if a dispensary is established near these pentas? "

The Hon. MR. P. T. RAJAN:—" I do not know if the establishment or institution of a dispensary there would facilitate matters; as it is, there are two assistants who are giving all help in combating the contagious diseases."

Education

Discontinuance of the system of direct recruitment to the cadre of District Educational Officers.

* 285 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the practice of recruiting candidates direct for the post of District Educational Officers was discontinued;

(*b*) whether there is at present any post available for direct recruitment; and

(*c*) if so, what the ratio fixed is for direct recruitment and for promotion?

A.—(*a*) No.

(*b*) No.

(*c*) 1 : 3.

Mr. P. V. Krishnayya Choudari:—" May I know what is the last order regarding recruitment? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" The answer says that the practice of direct recruitment has not been discontinued."

Reorganization of District Educational Councils in districts consequent on the bifurcation of district boards.

* 286 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the District Educational Councils are to be reorganized in districts where the district boards are bifurcated;

(*b*) what the rules and procedure governing the matter are; and

(*c*) whether the District Educational Councils of Tanjore, Vizagapatam, Ganjam, Guntur and North Arcot have been so reorganized?

A.—(*a*) Yes.

(*b*) A draft of the rules amending the constitution of the District Educational Council is published in the *Fort St. George Gazette* as required by sub-section (1) of section 56 of the Madras Elementary Education Act, 1920, for general information and objections or suggestions are invited before a certain fixed date. The suggestions and objections received are considered and the rules are then confirmed.

(*c*) The District Educational Councils of Tanjore, Vizagapatam, Guntur and North Arcot have been reconstituted. The Ganjam District Educational Council has ceased to function under the Local Government after 1st April 1936 and so there was no necessity for reconstituting it. The

question of amending the constitution of the District Educational Couucil, Vizagapatam, to provide for the representation of the Chicacole District Board and Chicacole Municipal Council is under consideration.

Mr. T. S. RAMASWAMI AYYAR:—"May I know if the District Educational Councils are to follow the fortunes of the district boards in the process of bifurcation?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The change in the constitution is necessitated by the change in the district boards' constitution; because some members are elected to the Council by the district boards. When the district boards are bifurcated, their representatives on the Council cease to exist as members of the Council, and we have therefore to reconstitute the Educationl Councils."

Mr. A. B. SHETTY:—"May I know whether there is any proposal before the Government for the abolition of District Educational Councils?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Such proposals have been under consideration for a number of years."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know why such proposals are under contemplation now; what are the reasons for the Government entertaining such proposals?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"They are receiving representations to the effect that District Educational Councils are unnecessary."

Representations for the postponement of the election of the President of the Tinnevelly District Educational Council.

* 287 *Q.*—Mr. V. T. ARASU: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether any representations have been received by Government from certain members of the Tinnevelly District Educational Council asking for a postponement of the election of the president of that council;

(*b*) if so, what is the basis on, or reasons for, which postponement has been asked; and

(*c*) what orders have been passed by Government on that representation and for what reasons?

A.—(*a*) No.

(*b*) & (*c*) Do not arise.

Elections to the Tinnevelly District Educational Council.

* 288 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether it is a fact that the election of members made recently by the Tinnevelly District Board to the Tinnevelly District Educational

Council was held to be invalid on the ground that the vacancies have not been reported to the President of the District Board by the President of the District Educational Council;

(b) if so, whether a copy of the representations made as well as the orders passed in the matter will be placed on the table;

(c) when the vacancies to be filled up by the district board now, are to occur, and when the vacancies were reported to the President, District Board; and

(d) if there was undue delay, what the reasons therefor are?

A.—(a) Yes.

(b) The Government consider that no useful purpose will be served by placing the correspondence on the table.

(c) Eight vacancies arose between 1st May 1936 and 30th May 1936 and the required intimation was sent to the President, District Board, Tinnevelly, on 30th April 1936.

(d) The Government do not consider that there was undue delay in sending the intimation as under the rules no meeting should be held more than one month in advance of the date on which the vacancy or of the latest date on which any of the vacancies would arise.

Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask whether there are any definite and strict rules that elections to the Educational Council by the District Board should be held only after getting the necessary intimation from the Educational Council President? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" All rules are intended to be followed. I do not know what the hon. Member means by his question."

Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask whether by the intimation given on the 30th April about the vacancies arising from 1st to 31st May, the Government think that sufficient time has been given? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" The answer is already there."

Vacancies in the Tinnevelly District Educational Council at the time of the election of the president.

* 289 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) how many seats were vacant or unfilled in that body at the time of the election of the present president of the District Educational Council, Tinnevelly;

(b) by which body each of such seats is to be filled; and

(c) whether representations have been received by Government in the matter of this election; what orders have been passed thereon and whether a copy of it will be placed on the table?

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A.—(*a*) & (*b*) *Nine seats to be filled by the representatives of the Tinnevelly District Board were vacant.*

(*c*) The Government received a petition from three members of the District Educational Council requesting them to set aside the election. They declined to do so. They do not consider it necessary to place a copy of the order on the table.

Mr. K. A. NACHIYAPPA GOUNDER:—" In answer to clause (*c*), it is stated that the Government do not consider it necessary to place a copy of the order on the table. What harm is there in placing it on the table of the House? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No public interests would be served by placing such orders on the table of the House."

Leakage of questions set for the S.S.L.C. examination, **1936.**

* 290 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether any steps have been taken in the case of leakage of questions in the recent S.S.L.C. examination;

(*b*) if so, what is the result of the investigation made therein;

(*c*) on what basis the re-examination was ordered;

(*d*) what were the reports available from the districts for conducting the re-examination in certain districts; and

(*e*) what is the amount and on what grounds the fee for re-examination was collected from the candidates?

A.—(*a*) Yes.

(*b*) The matter is now *sub judice.*

(*c*) The re-examination was ordered as a result of the investigation conducted by the department.

(*d*) The reports are confidential.

(*e*) The amount collected for the re-examination was Rs. 5,973. The fees were collected to cover the additional expenditure involved in the conduct of the re-examination.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know why boys who undergo a re-examination have to be penalized for leakages elsewhere? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Boys also, as I said yesterday, have been responsible to some extent."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact that boys who had *nothing to* do with the leakages were punished—i.e., boys throughout the district, instead of the punishment being restricted to those boys who were actually responsible? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" My hon. Friend knows in cases of such leakage, the usual practice is to hold a re-examination."

Mr. P. V. KRISHNAYYA CHOUDARI:—" But why take extra fees rom other boys? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I have already explained that, Sir."

Centres for the S.S.L.C. re-examination, 1936.

* 291 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the linister for Education and Public Health be pleased to state—

(*a*) the centres in which the re-examination was conducted in the ecent S.S.L.C. examination; and

(*b*) what is the total number of candidates that have appeared n each centre?

A.—(*a*) & (*b*) A statement [a] is placed on the table.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know what the pecial reasons are for changing the centres when a re-examination vas ordered and why nearly 650 boys were allowed to appear in one articular centre, causing great inconvenience to the boys and their arents? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice."

Alleged circular of the Director of Public Instruction restricting the admission of candidates into the secondary and the higher elementary training classes.

* 292 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the Director of Public Instruction has issued a circular restricting the admission of candidates in the secondary and higher elementary training classes; and

(*b*) if so, whether the Government will be pleased to call for the same and place it on the table of the House?

A.—(*a*) No.
(*b*) Does not arise.

Number of Muslim schools amalgamated in the Kurnool district under the Champion Scheme.

* 293 *Q.*—S. M. K. BEYABANI SAHIB Bahadur: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the number of separate Muslim schools amalgamated with the central school in accordance with the Champion Scheme in Kurnool district; and

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[a] Printed as Appendix XIII on page 632 infra.

(b) the number of Muslim boys and girls before the amalgamation and at present in each such school?

A.—(a) & (b) The Government have no information.

Mr. Abdul Hameed Khan:—" May I ask the Hon. Minister to find out whether the amalgamation has resulted in greater efficiency of the schools, or whether it has given satisfaction to the people affected? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" Unless any complaints are received, I do not think the Government will be in a position to know if anything is wrong."

Mr. Abdul Hameed Khan:—" Will the Government be pleased to enquire? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" I do not think any complaints have been received. This question only seeks *information.*"

S. M. K. Beyabani Sahib Bahadur:—" Whereas in other districts the amalgamations have been made with due consideration for the convenience of the people, in the Kurnool district, as many as 12 or 14 schools have been amalgamated; will the Government enquire into the matter and see what can be done to remedy this state of things? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" As I said already, when complaints are received, the Government will give due consideration to them."

B. Pocker Sahib Bahadur:—" Is it a fact that the Hon. Minister gave an assurance to the Muslim Members of this House that the Champion scheme would not be given effect to so far as Muslim schools were concerned, as far as possible? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" I do not think I gave any undertaking of such a general nature as that; but we have received no complaints that the scheme has been carried out against the wishes of the people in the locality."

Mr. T. S. Ramaswami Ayyar:—" May I know to what extent the Champion scheme has been given effect to in this Presidency, and in what manner? "

The Hon. Diwan Bahadur S. Kumaraswami Reddiyar:—" Whenever proposals have been received for amalgamation of schools, they have been considered."

Excise

Appointment of Excise Sub-Inspectors from the list of candidates selected by the Madras Services Commission.

* 294 *Q.*—Mr. M. S. Sreshta: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) when the last selection was made by the Madras Services Commission for appointment as Sub-Inspectors of Excise;

(*b*) how many were so selected; how many of them have received acting appointments and how many of them have received permanent appointments;

(*c*) how many permanent and how many acting vacancies have occurred, since the last selection referred to above; and

(*d*) if any of those selected have not received such appointments?

A.—(*a*) *to* (*d*) The last selection of candidates for appointment as Sub-Inspectors of Excise was made by the Madras Public Service Commission in February 1936. The number of candidates selected was 27. The Government have no other information.

Rewards to Excise officials for the detection of Excise Crimes.

* 295 *Q*.—Mr. A. B. Shetty: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether any principles governing the grant of rewards to Excise officials for detection of excise crimes, have been laid down by the Government;

(*b*) what the number of rewards and the amount distributed is since 1929–30;

(*c*) what the amount for rewards provided by the Government is since 1929–30; and

(*d*) who the competent authority is to sanction these rewards?

A.—(*a*) Yes.

(*b*) & (*c*) A statement[a] giving particulars for each year beginning from 1929–30, in respect of (i) the amount provided in the Civil Budget Estimates for the grant of rewards and (ii) the amount of rewards actually granted to (*a*) Excise officials and subordinates and (*b*) others, is appended. Information in regard to the number of occasions on which rewards were granted since 1929–30 has been called for.

(*d*) The Assistant Commissioner of Excise, the Commissioner of Excise and the Government.

Powers of the Commissioner of Excise to open new shops without reference to the Excise Licensing Boards or the Excise Advisory Committees.

* 296 *Q*.—Mr. A. B. Shetty: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether the Commissioner of Excise has power to open new shops or re-open the permanently or temporarily closed shops without obtaining the assent of the Licensing Boards or the Advisory Committees in respect of such proposals;

[a] Printed as Appendix XIV on page 632 infra.

(b) the number of shops so opened
(1) with the assent of these bodies,
(2) without the consent of these bodies;

(c) whether the Commissioner of Excise is required to obtain the sanction of the Government before proposals for opening new shops are given effect to; and

(d) whether the Government have at any time drawn the attention of the Commissioner of Excise to the policy of Government in regard to excise administration and asked him to keep it in mind in formulating proposals likely to hamper the progressive realization of that policy?

A.—(a) The Commissioner has power to differ from the views of the Licensing Boards and Advisory Committees.

(b) A report has been called for.

(c) The answer is in the negative.

(d) The Commissioner is fully alive to the policy to be followed with regard to the Excise Administration.

Medical Administration

Acting arrangements during the absence on leave of Dr. P. V. Cherian, Ear, Nose and Throat Specialist.

* 297 *Q.*—Mr. V. T. Arasu: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) what arrangements have been made for the running of the Ear, Nose and Throat clinic of the Madras General Hospital during the absence on leave of the permanent incumbent, Dr. P. V. Cherian;

(b) what are the qualifications of the gentleman who has been temporarily placed in charge of that clinic; and

(c) whether there is no one attached to the General Hospital or any of the other hospitals in the City of Madras either as honorary or stipendiary officers with the requisite experience and qualifications to be placed in charge of the clinic?

A.—(a) & (b) M.R.Ry. D. Hari Rao Avargal, M.B.B.S. (Mad.), F.R.C.S. (Edin.), D.L.O. (Lond.), Civil Assistant Surgeon, has been appointed to act as Clinical Lecturer in Ear, Nose and Throat Diseases, Medical College, Madras, and Surgeon, Ear, Nose and Throat Department, Government General Hospital, Madras.

(c) This is a clinical lecturer's post included in the sanctioned cadre of the Madras Medical Service (General Branch). The question of appointing a non-official to that post does not arise. The official appointed is well qualified for the post.

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Admission of candidates into the Medical Colleges at Madras and Vizagapatam.

* 298 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the number of candidates who have sought admission into the Medical Colleges;

(*b*) the number from each area;

(*c*) the number admitted;

(*d*) whether the Government insist that selection should be districtwar; and

(*e*) if so, what the districts are from which the candidates have been selected?

A.—(*a*), (*b*) & (*c*)—

Linguistic areas.	Number of candidates that applied for admission.	Number admitted.
(1)	(2)	(3)
Tamil districts	140	68
Telugu districts	79	68
West Coast districts	77	16
Non-Madras	21	2
Total ..	317	154

(*d*) No. The selection of candidates for admission into the Medical Colleges is made on a linguistic basis.

(*e*) Does not arise.

B. POCKER SAHIB Bahadur:—"May I know how the Government account for this disparity in the proportion of candidates admitted, as compared to the number that applied on a linguistic basis? So far as the Tamil districts are concerned it is 68 out of 140; as regards the Telugu districts, almost seven-eights of the candidates who applied have been admitted, while in the case of the West Coast, it was only one-fifth. I should like to know why the proportion admitted in the case of West Coast is so low, and why in the case of the Telugu districts, it is so high?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Rules have been framed which fix a certain percentage of admission, on a linguistic basis, and that accounts for the numbers found here."

Mr. V. P. NARAYANAN NAMBIYAR:—"May I know from the Hon. Minister whether any instructions have been issued with regard to admission of West Coast candidates?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"As I said, rules have been framed already for this purpose."

Constitution of the selection committee for admission of students into the Stanley Medical School, Rayapuram.

* 299 *Q.*—Mr. M. DEVADASAN: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether there is a committee for the selection of candidates for admission into the Stanley Medical School, Rayapuram; and

(*b*) if so, who are the personnel of the committee?

A.—(*a*) Yes.

(*b*)—

President.

(1) The Surgeon-General.

Members.

(2) The Superintendent, Stanley Medical School, Madras.

(3) The Superintendent, Lady Willingdon Medical School for Women, Madras.

(4) The Personal Assistant to the Surgeon-General, Madras.

(5) M.R.Ry. Diwan Bahadur C. Natesa Mudaliyar Avargal, L.M.S., M.L.C.

(6) Mrs. K. Alamelumangathayaramma, M.L.C.

(7) Khan Bahadur Janab Muhammad Azizullah Sahib Bahadur, B.A., M.B.C.M.

(8) M.R.Ry. Rao Sahib D. V. Narasimhaswami Garu, B.A., B.L., M.L.C.

Proposal to take over the hospital at Cauvery Mettur under the control of the Government.

* 300 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) what became of the proposal to take over the hospital at Cauvery Mettur under the control of the Government;

(*b*) if it has been taken, when and if not, what the reasons are for the delay; and

(*c*) when it is likely to be so taken up?

A.—(*a*) *to* (*c*) The Government have decided to take over the management of the hospital at Mettur. The question of sanctioning the necessary staff is under consideration. The district board has been asked to arrange for the transfer of the hospital to Government with effect from the date on which the staff proposed to be sanctioned is ready to take charge of the institution.

Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask the Hon. Minister when this proposal was first taken up for consideration, and what is the reason for the long delay? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" I cannot say."

Mr. K. A. NACHIYAPPA GOUNDER :—" May I ask the Hon. Minister whether Government propose to take up also the staff employed in this hospital or whether they propose to appoint their own staff? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" I am sorry, I cannot say."

Public Service

Re-valuation of answer papers in the Revenue Test Examination held in December 1935.

* 300-A *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether he has received the report of the proceedings of the Public Services Commission for the years 1935–36 and if so, when it would be placed on the table of this House;

(*b*) whether the Government is satisfied with the results of the examination in Revenue Test, especially in Group C held in December 1935;

(*c*) whether the answer papers in the subject mentioned above were valued twice and, if so, what is the percentage of passes in the said subjects—

(i) in the first valuation,

(ii) in the second valuation;

(*d*) what, if any, was the need for a second valuation and on what grounds and at whose instance the second valuation was directed;

(*e*) whether the second valuation was directed after calling for and obtaining the explanation, if any, of the examiner who valued the papers in the first instance;

(*f*) how the results of the valuation first made compare with the percentage of passes in the previous five years, and how the results announced as a result of the second valuation compare with the results during the same period and also with the results of the later examination; if any; and

(*g*) the amount of additional expenditure incurred for the re-valuation and who is to bear it ultimately? "

A.—(*a*) *to* (*g*) The report has not been received.

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Mr. G. RAMESWARA RAO:—"May I know, Sir, whether the Government have information that a second valuation was made in regard
12 noon. to the Revenue Test Examinations of December 1935, and, if so, why and what the result of the second valuation was?"

The Hon. Sir CHARLES SOUTER:—"A question of that kind, I do not think, can be put on the floor of this House."

Mr. G. RAMESWARA RAO:—"I seek your protection, Mr. President. I understand on authentic information that there was a needless second valuation and as a result of that a hundred candidates who passed, were made to fail. It is a matter of very great public interest both for the services and for the administration of the services, especially in view of the fact that it worked hard on the candidates who appeared for the examination, and paid money for it. I seek your protection. Sir?"

The Hon. Sir CHARLES SOUTER:—"The policy of the Government is not to interfere with the Public Service Commission in the manner in which it conducts its examinations."

Mr. G. RAMESWARA RAO:—"Where the Public Service Commission is an autocrat, uncontrollable by Government or by anybody in the world, and what they say is final, has this House no right to question their action or criticize them?"

The Hon. Sir CHARLES SOUTER:—"It is a matter of public policy, Sir."

Reforms

Number of voters to the Madras Legislative Assembly in the Tanjore district.

* 300-B *Q.*—Mr. A. PL. N. V. NADIMUTHU PILLAI: Will the Hon. the Member for Finance be pleased to state—

(*a*) the totals of voters (constituencywar) as per Parliamentary expectations to the Madras Legislative Assembly in the district of Tanjore;

(*b*) the totals of voters as per preliminary rolls prepared now and as per the rolls that existed already under the old constitution (constituencywar) in the district of Tanjore;

(*c*) whether any constituency in the district of Tanjore has fallen short of Parliamentary expectation in the matter of enrolment; if so, what those constituencies are; and

(*d*) the percentage of voters to the total population in Tanjore district with regard to non-Muhammadan, Christian and Muhammadan Constituencies?

A.—(*a*), (*b*) & (*d*) The particulars are furnished in the statement[a] appended.

(*c*) Yes, Kumbakonam and Mayavaram of the General Constituencies.

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[a] Printed as Appendix XV on page 633 infra.

Mr. M. A. MANIKKAVELU NAYAKKAR :—" May I take advantage of this question and ask, Sir, whether the voting for the Legislative Council will be postal or personal? "

The Hon. Sir GEOFFREY BRACKEN :—" It will be direct in some cases and postal in others."

Control of Vehicles

Instructions to Superintendents of Police regarding issue of " G " permits.

* 300-C *Q.*—Mr. A. PL. N. V. NADIMUTHU PILLAI : Will the Hon. the Home Member be pleased to state whether the Government will consider the desirability of issuing instructions to the Superintendents of Police that they should co-operate with district boards by suspending or cancelling " G " permits to buses for which the district board licences are not renewed, suspended or cancelled?

A.—The Government do not consider it necessary to issue such instructions. The attention of the Hon. Member is invited to rule 30 (*a*) (i) of the Motor Vehicles Rules to condition (i) of the conditions of the " G " permit printed at page 43 of the Madras Motor Manual and to the instructions in G.O. No. 1741, Law (General), dated 7th June 1934, a copy of which is to be found in the Legislative Council Library.

Mr. ABDUL HAMEED KHAN :—" In view of what has been taking place in some districts, how will the Government help the owners of buses in cases where the Superintendent of Police of a district takes into his head to act independently of the rules? "

The Hon. Mr. C. F. BRACKENBURY :—" The only thing that Government can do is to draw the attention of the concerned district authorities to the rules."

Fisheries

Re-employment of the Sub-Inspectors of the Fisheries department discharged in 1934.

* 300-D *Q.*—Mr. M. S. SRESHTA : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) how many of the fourteen permanent sub-inspectors of the Fisheries department who were discharged in the reorganization of 1934 are Indian Christians;

(*b*) how many of them have been re-employed in temporary or acting posts and what was the pay of each of them before discharge and after;

(*c*) whether they were working without promotion before discharge:

(*d*) if so, for what periods, and whether this fact was considered in fixing their pay on re-employment;

(*e*) what action has been taken on G.O. No. 856, Public (Services), dated 7th May 1936, published on pages 653 and 654 of the *Fort St. George Gazette*, dated 19th May 1936, regarding the retransfer of senior sub-inspectors who came to the Fisheries department from the combined Salt and Abkari department in 1924;

(*f*) what are the number of permanent vacancies of sub-inspectors in the Excise department that arose after 19th May 1936 and in what grades;

(*g*) how many of them have been filled up;

(*h*) whether vacancies have been reserved for the seven Fisheries sub-inspectors proposed to be transferred in the different grades; if not, why not;

(*i*) how many of the discharged Fisheries sub-inspectors have been appointed to the match and sugar factories—

(i) as sub-inspectors,

(ii) as petty officers;

(*j*) whether none of them were found suitable for appointment as Excise sub-inspectors; and

(*k*) why the question of providing the discharged sub-inspectors with permanent posts in other departments was not considered before the reorganization was actually ordered?"

A.—(*a*) Five.

(*b*) All the five have been re-employed. Before they were discharged, two were drawing Rs. 50 each, two others were drawing Rs. 40 each and the fifth Rs. 35. On re-appointment they were all given Rs. 30.

(*c*) Four of them were promoted to higher grades as and when vacancies occurred.

(*d*) The question of fixing the pay to be allowed to these sub-inspectors is under the consideration of Government.

(*e*) The Director of Fisheries is in correspondence with the Commissioner of Excise. One of the sub-inspectors has applied to the Commissioner for transfer to the Excise department and his application is under scrutiny by the Commissioner.

(*f*) & (*g*) The Government have no information.

(*h*) No vacancies have been reserved because no orders were issued to that effect The re-appointment of these men is left to the discretion of the Commissioner of Excise.

(*i*) (i) None.

(ii) Seven have been appointed as Match Factory officers.

(j) Their appointment as Excise sub-inspectors will be considered in due course.

(k) Statutory rules were framed to regulate the recruitment to the several subordinate services and it was not possible to transfer the discharged Fisheries sub-inspectors to other services in the ordinary course. The question of providing these men was subsequently considered by Government who amended the rules relating to the Madras Excise Subordinate Service so as to enable the discharged sub-inspectors to be appointed in the Excise department.

UNSTARRED QUESTIONS

Electricity

ommencement of works relating to the Papanasam Electric Scheme.

301 Q.—Mr. M. DEVADASAN: Will the Hon. the Law Member be leased to state—

(a) when the Government propose to commence the Papanasam lectric Scheme; and

(b) when it is likely to be completed?

A.—(a) & (b) The Papanasam Hydro-Electric Scheme is still under investigation. If the report submitted to Government after the investigation shows that the scheme will prove remunerative, it will be taken up for execution as soon as funds are allotted.

Land Revenue Administration

Observance of the Communal Government Order in filling vacancies in the Revenue Department, Guntur district.

302 Q.—Mr. S. M. LALJAN: Will the Hon. the Member for Revenue e pleased to state—

(a) how many upper division clerks' posts were filled up in the evenue Department, Guntur district, for the last three years, i.e., 934, 1935 and 1936;

(b) how many of them belong to Muslim community; and

(c) whether the Communal Government Order was strictly followed filling up the posts of upper division clerks and Taluk Head Accountnts and posts on a fixed pay; and if not, why not?

A.—(a) & (b) The Government have no information.

(c) The communal rotation rule is applied only in respect of first appointments to the service concerned.

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Visit of the Collector of Guntur to the mosque in dispute at Repalle.

303 *Q.*—Mr. S. M. LALJAN: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is not a fact that the Collector of Guntur inspected the mosque in dispute in Repalle, Guntur district, on the 26th February 1936 and asked the Muslims to continue to pray in the mosque; and

(*b*) if the answer be in the affirmative, whether the order was given in writing?

A.—(*a*) & (*b*) The Collector after inspection told the Muhammadans orally that the mosque need not be removed.

Religious Disputes

Alleged ban on the observance of Muharram in Guntur.

304 *Q.*—Mr. S. M. LALJAN: Will the Hon. the Home Member be pleased to state—

(*a*) whether it is a fact that Muharram has not been celebrated in Guntur for the last two years; and

(*b*) if the answer be in the affirmative, for what reasons has the District Collector not permitted the said celebrations?

A.—(*a*) The Muharram was not celebrated in Guntur and a few other places in Guntur district in the last two years.

(*b*) It is not correct to say that the Collector did not permit the celebrations. On account of the coincidence of Muharram and Sriramanavami both Hindus and Muhammadans were required to take out licences under section 30 of the Police Act. At some places the Muhammadans did not do so, preferring to give up the celebration.

Education

Enquiry into the alleged poor results of the Government High School, Coimbatore, at the S.S.L.C. Public Examination.

305 *Q.*—Mr. V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Education and Public Health be pleased to state whether any enquiry has been made regarding the poor S.S.L.C. examination results in the Government High School, Coimbatore, in relation to the results of the other schools in Coimbatore?

A.—An enquiry has been held by the Director of Public Instruction and suitable action is being taken by him in the matter.

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

I-A.—STATEMENT *RE* NON-AVAILABILITY OF GOVERNMENT ORDERS REFERRED TO IN ANSWERS.

* The Hon. the PRESIDENT :—" With reference to the point raised by Mr. Rameswara Rao regarding the non-availability of certain Government Orders referred to in the answers, I have made enquiries in the Library and I am told that they are not available in the Library. I wish Hon. Members of Government would make it possible for the Library to get such Government Orders as are referred to in the answers, ready for the use of hon. Members of this House, at least hereafter."

II.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, AND TO AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934, FOR CERTAIN PURPOSES (BILL No. 11 OF 1936)—*cont.*

Clause 2—Sub-clause (ii).

* The Hon. the PRESIDENT :—" The House will now proceed with the further consideration of the Inams Bill."

Mr. T. C. SRINIVASA AYYANGAR :—" I beg to move . . . "

* The Hon. the PRESIDENT :—" Two items have already been deleted by a former amendment."

* Mr. T. C. SRINIVASA AYYANGAR :—" Mr. President, of the several items which comprise the amendment which I will now place before the House, two have been covered by the amendment No. 15 already moved by my hon. Friend, Mr. Peddi Raju, and they are items (v) (*b*) and (ix) in the amendment. I will omit them. As regards item (v) (*a*), I moved it as an amendment to Mr. Peddi Raju's amendment and, therefore, I will omit that also. Now, I will only move the rest. I beg to move—

' *that after item* (*b*) (*iv*), *the following be added* :—

" (vi) *That the land is required by the landholder for bona fide cultivation of himself or any member of his family having beneficial interest therein by his own servants or by hired labour with his own or hired stock.*

(vii) *That the land has been, prior to 1st July* 1918, *let as the landholder's own property.*

(viii) *That the landholder's lands do not exceed* 50 *acres in extent and that the entire kudivaram interest therein has vested in the inamdar.*

(ix) *Jungle or other land not under the occupation of the tenant at the time when the Madras Estates Land (Third Amendment) Act comes into force which the landholder wants to reserve for his cultivation provided it does not exceed one-tenth of the area in the village* ".'

" Sir, the amendment speaks for itself. The scheme of the Bill was to bring in all inams as estates with four categories of private land, wherein the inamdar may have both varams. Oftentimes when it was mentioned that the rights of the inamdar have been very injuriously affected or taken away unnecessarily or that the Bill would work very much hardship, the answer given was, instead of taking away any portion of the inam estates from the operation of the Bill, the categories of private land may be widened in cases in which it would be just. Nothing can be more appropriate than to add to the private land the classes of lands which are mentioned here. I therefore hope there will be no opposition to the amendment and that Government will see its way to accept it."

Mr. K. A. NACHIYAPPA GOUNDER :—" I second it, Sir."

* The Hon. the PRESIDENT :—" I take it that items (vi), (vii), (viii) and (x) of the amendment in the printed list have been moved."

Mr. T. C. SRINIVASA AYYANGAR :—" Yes, Sir."

* Sriman M. G. PATNAIK Mahasayo :—" Sir, I do not know whether an amendment of this sort can be fitted into any system of law or whether any jurisprudence will justify it. In regard to that part of the amendment which says ' that the land is required for bona fide cultivation of himself or any member of his family having beneficial interest therein by his own servants or by hired labour with his own or hired stock,' I must say that one may require all the land for himself and that simply because some time or other he might want the land for cultivation, the ryot should not be deprived of his occupancy rights. I think this is an extraordinary provision and I do not think there is any system of jurisprudence which would justify it. Further, Sir, the analogy of the Malabar Act cannot apply to this case at all. Our law is quite different. We have to go back to Manu and his codes. Occupancy right means that the tenant should have fixity of tenure and security of rent. You now want to take that away simply because the landholder wants to cultivate the land himself, and after all how can anybody judge whether the land is required for bona fide cultivation or not? Of course the man may say, he has purchased some ploughs and cattle for the purpose, but the very next year he may disband the whole thing. In such a case, how can it be proved that he wants it for cultivating? Probably, some young man who could not secure an appointment in Government service or elsewhere, might think of cultivating the land himself, and then finding that cultivation is not paying and that pursuing agriculture is uneconomic, might give up the land; and in order to make room for such things, it seems you want to deprive the ryot of his occupancy rights. That is opposed to the very principles of the Act and public policy which apply in regard to tenancy law on this side of the ghauts. I do not therefore think that this portion of the amendment can be accepted.

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" Then, in regard to item (vii), i.e., that the land has been let prior to 1st July 1918 as the landholder's own property, I think it really trenches upon the categories of private land already accepted. So far as that is concerned, we have got it in a previous clause which says " in the case of an estate within the meaning of sub-clauses (*d*) of clause 2, means the domain or home farm land of the landholder by whatever designation known, such as kambattam, etc.' It is therefore frankly admitted that a whole inam village which has not got any lands of that description. . . "

Mr. T. C. SRINIVASA AYYANGAR :—" No, no. Please read Sir Archibald Campbell's speech."

Sriman M. G. PATNAIK Mahasayo :—" Mr. Peddi Raju made that clear."

Mr. T. C. SRINIVASA AYYANGAR :—" I make the statement to-day to the contrary and I am supported by Sir Archibald Campbell in this view."

* Sriman M. G. PATNAIK Mahasayo :—" If that is so, I shall take that statement to be correct, but I will say that it does not come under the first clause. Therefore, this amendment is quite unnecessary here. Besides, Sir, you know that most of the ryots are generally illiterate and whatever paper you put into their hands, so long as they are on the land, they do not care to see what it contains. At any rate that was the view of Mr. Forbes in 1908. However much people may complain that the people are not educated and that they want to introduce compulsory primary education, the fact remains that the ryots do not know what is contained in documents which they cannot read or even if they read them, they cannot understand the meaning clearly of such documents or the effect of those documents. Therefore, in such cases, this amendment would be of no use. In the previous clauses, actual cultivation is insisted upon and letting is no use. Therefore this clause also cannot be considered.

" The next item (viii) relates to landholder's land which do not exceed 50 acres in extent and where the entire kudivaram interest therein has vested in the inamdar. Sir, several such amendments have been already thrown out and I do not think anybody need waste the time of the House by dilating upon the grounds which were already stated.

" The other item, viz. (x), relates to jungle or other lands not under the occupation of the tenant at the time, etc. Here, there is much of history behind this. At the time when the Bill of 1905 which resulted in Act I of 1908 was considered, the very same question was raised by the zamindars and they said then that all the waste land should be treated as their private land.

" I think with regard to that matter, Mr. Desikachari was the zamindars' advocate. Then it was stated on the strength of the letter of the Government of India that it would be opposed to the public policy 12-15 p.m.

to prevent the accrual of occupancy rights in waste lands. That was the view that was taken by the Government of India in connexion with a tenancy Bill of the Bengal Government. That is why you now find that the zamindars cannot claim any such rights over such lands. There is a provision with regard to jungle lands. If they are brought under cultivation by the landholder himself, he can retain them for thirty years. This has been provided for in section (6). During this period no ryot can acquire this right. Under these circumstances, there is no reason why the inamdars should be given special treatment. In the Hindu Kingdoms, the Brahmans were treated with deference and now too the inamdars—I presume a major portion of the inamdars are from that community—want to enjoy the same kind of treatment. I do not know under what law or smriti this is being claimed by them. The policy of the Government is to assimilate the position of the inamdars to that of other landholders or holders of other estates within the meaning of section 3 (2). Such being the case, I oppose the amendment."

* Mr. K. Koti Reddi:—" Mr. President, Sir, I believe that the hon. the Expert Member, in his enthusiasm for assimilating the position of the inamdars to that of other landholders, has forgotten that it would work a great hardship to the inamdars with no benefit to tenants. Some of us were in favour of the tenants being given security in respect of their holdings and the preservation of their occupancy rights, so that, even though our financial and personal interests were affected, we voted for the Bill but those inamdars who take to agriculture as a profession should not be discouraged. But however favourably we may view the case of the tenants, one ought to consider this aspect of the question. What harm is there to set apart a small portion of the land which is now unoccupied, being jungle lands or other land, solely for purposes of the landholders' cultivation? Nobody is affected by voting for that amendment. We are told that the Government have a very grand scheme of preparing the sons of landholders for agricultural occupations. That was supposed to be one of the remedies for relieving the unemployment problem in this country. I have my own doubts as to how far the landholders will be prepared to come into the scheme. I believe that the zamindars have some motive behind the policy that they are pursuing. Otherwise how can you explain their unwillingness to grant the inamdars a benefit without harming anybody? The land is unoccupied. You are not going to take away the right of anybody else by allowing the inamdar to keep it for his own cultivation. What is the wrong, even supposing that almost all of them are Brahmans—I know for a fact that the majority of them are non-Brahmans—in inducing them to cultivate the land themselves? In Mysore and Travancore, a major portion of the Brahmans are taking to cultivation. Could we not do such a thing in British India? "

* Sriman M. G. Patnaik Mahasayo:—" A personal explanation, Sir. What I said was not that the Brahmans should not engage in agriculture; but that they in their capacity as inamdars should not

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begin to cultivate the lands to the prejudice of the rights of others who are cultivating them at present. My hon. friend is entirely wrong in supposing that I was against their cultivating their lands."

* Mr. K. KOTI REDDI:—" If my hon. Friend Mr. Patnaik could keep to his word, I shall be very glad. If without prejudice to the tenant that is cultivating the land at present the landholder can also cultivate his lands, I see no reason in refusing to allow to keep for himself jungle and unoccupied lands, where there are no tenants whose interests will be endangered if the landholder is given this right of reserving a portion of it as private land."

Mr. V. P. NARAYANAN NAMBIYAR:—" May I know, Sir, whether it is the Inams Bill that we are discussing or the interests of the Brahman community? "

Mr. K. KOTI REDDI:—" Why should he be against a proposition which does not affect anybody's right even though it is the Brahman that is involved."

The Hon. Sir CHARLES SOUTER:—" The proposal is not so much as giving protection to the Brahman cultivator as against the Brahman turning out other people who are now cultivating the lands."

Mr. K. KOTI REDDI:—" True, Sir. There is no question of turning out anybody. The proposal is only with regard to unoccupied lands. No doubt the expert Member pointed out a provision by which the landholder can cultivate a jungle land and keep it for himself for thirty years. But with regard to unoccupied lands there is no such provision. Apart from that, if such lands cannot except by his continuing to cultivate them be kept as his private land, there will be a temptation for the inamdars to let it uncultivated whenever it is inconvenient for him to cultivate. If he lets it out for a year or two and by so doing he transfers the occupancy right in the land to the tenant, the inamdar will naturally not be willing to let it out. If he can keep it as his private land, whenever he is not in a position to cultivate it himself, it is up to him to let it out for a year or two and then take it up himself. A landholder just as a ryotwari landowner may not be in a position to cultivate his lands for a year and in such cases he can let it out. You are stopping all that under the Act. He will immediately lose his rights if he lets it out to a tenant. Is it desirable? I can understand the position if the Hon. the Revenue Member and the expert Member are prepared to promote legislation to the effect that nobody who does not cultivate his lands, be he inamdar, zamindar or ryotwari landholder, can possess lands. I am prepared to vote with him. But this is a thing which I cannot understand. The inamdar is not allowed the same freedom as a ryotwari-holder and that with regard to a land which is now unoccupied. The only public policy seems to be to assimilate his position to that of the zamindar. Is it to keep the tenant, Sir? It is not that. I was told it would be a great help to the zamindars in future. When legislation is sure to be brought to bring

down the rents to the level obtaining in the Government land, you may rely on the representaives of the inamdars to side them against the representatives of tenants, for they—both the inamdars and the zamindars—by an identity of interests will be opposed to such a lowering down of rents. This is what I think is the motive behind the zamindars in supporting this Bill. I think there can be no harm by allotting 5 or 10 acres of unoccupied land to the inamdar for his own cultivation. Further you are going to set a limit to it for it is not to exceed one-tenth of the area of the village. The hon. expert Member who seems to guide the Hon. the Revenue Member thinks that it is against public policy. But I ask, is it public policy to deprive the inamdars of their chance of cultivating unoccupied lands? There is no question of evicting anybody. What is wanted is that he may enjoy it as his private land with all the privileges attached to it and the right that when he is not able temporarily personally to cultivate it, to let it out for a small period, and take it back when he finds it convenient to do so.

-30 .m. "As Mr. Patnaik stated in the case of the land occupied at present, if the inamdar wants it even for his own cultivation his point that the tenant will be disturbed and therefore not desirable is quite sound. I do not ask for it myself. I ask for a certain portion of land which does not affect anybody at present to be reserved as a private land. I hope this Council and the Hon. the Revenue Member will take into consideration this point of view and give this small concession to the inamdar in a matter which does not affect anybody."

* Mr. K. P. Raman Menon:—"Mr. President, I do not see why there should be such a storm about this small matter. With reference to what Mr. Koti Reddi said the expert Member has very correctly answered that where the land has been under cultivation at the expense of the inamdar he can hold it for a period of thirty years and enjoy the full profits of the land. It is only after thirty years that any occupancy right accrues. Thirty years is practically one generation. You have the usufruct of the land for one generation. There is nothing improper if he wants to let it to another to attach occupancy right to such land. There are two different principles and it is our duty as far as possible to see that the two principles do not conflict against each other. The first principle is the principle of free contract. The landowner is the owner of land to let it out as he pleases. The other principle has a bearing on land tenures which restricts the rights for the benefit of the ryots. It is that principle that always produces occupancy right. If a ryot is to be on a land he gets occupancy right. How that right is brought into force in Malabar is also seen by the provisions of the Malabar Tenancy Act. It will be observed that the ordinary lessees who were turned out at the sweet will and pleasure of the landlord, the verumpattamdar is now as much a fixed tenant as any other tenant in the position of an occupancy tenant. Only as a solacium to the janmi it is provided that he should provide for security. No doubt the principle is recognized that a man

cultivating a land must be regarded as a permanent fixture on land. It will be observed that these two principles are coming into conflict with each other. How to reconcile them? It has been reconciled in a way by the provisions of this Bill. As pointed out by Mr. Patnaik that when the inamdar is given the right of enjoyment for a period of thirty years as a matter of fact all his legitimate aspirations have been satisfied. He can enjoy the land, cultivate the land and take the utmost benefit for a period of thirty years. But when he introduces the tenant the other principles, viz., the right of occupancy comes into play and he has to be given occupancy right. There is no hardship whatsoever. That meets the case by providing to the poor tenant his occupancy right and so both the principles are worked out. I fail to see why there should be a storm over such a simple thing. After all you enjoy the land for thirty years and you have got the pleasure of enjoyment. After thirty years you let it out for the rent. Stick to the land if you can. If you cannot do it why do you blame the Government? You cannot have it both ways. You cannot have it and at the same time shut out other people. It is in the public interest to see that land is cultivated. If you do not want it for yourself leave it to others. There is absolutely no harm or hardship caused to anybody. If my hon. Friends would just look at this matter without any heat they will see the reasonableness of the proposition."

* The Hon. Sir CHARLES SOUTER:—" Mr. President, Sir, I do not think there is a great deal for me to say. I have just a few observations to make on each of these categories and they may not be out of place. As regards No. (vi) it runs thus:—

> '*That the land is required by the landholder for bona fide cultivation of himself or any member of his family having beneficial interest therein by his own servants or by hired labour with his own or hired stock.*'

" I would first like to ask, what is bona fide cultivation? For myself I wonder how the court is going to decide this. As my hon. Friend said, it is bound to cause a lot of trouble. Apart from that we must remember that in Malabar the tenancy is different from anything we have got on the East Coast. The inamdar is now trying to assume the position of janmi. The janmi in the eyes of law is a tenant of Government. In other words to all intents and purposes he has got a right in that land. To compare him to the inamdar is an entire misconception of the position. Quite apart from the wording of this sub-clause as it is here, it seems to me that it is based on an entire misconception of the inamdar in general. Then again I come to (vii): that the land has been prior to 1st July 1918 let as the landholder's own property. Again we see the danger that it will give rise to. The landholder can simply say 'that is my private property.' He has made the statement. He has not proved it by merely stating that. Whether it is his own property or not is a matter of evidence which he has to prove and merely to say that the land is merely his private property and on that

to base his claim seems to be beyond all reason. Then we come to No. (viii). That I think we have discussed quite enough yesterday and the same reasons that were advanced yesterday, reasons to which this House did not agree, apply equally here. Then we come to No. (x) which has been so vehemently sponsored by my friend Mr. Koti Reddi. If I may say so, I think his argument was very effectively demolished by my friend Mr. Raman Menon. There was one point which has not been commented on by anybody and that is this. Land can be under cultivation by the inamdar for a period of thirty years and he enjoys during that period the fruits of his labour. After thirty years if he does not choose to give it on tenancy he can continue to enjoy it. That means I presume that if at any moment land is not under the occupation of a tenant, the inamdar shall have the right to reserve it for his own cultivation and keep it out of ryoti land for the future. That land has been previously let out and was ryoti land under the Act. Simply because it has not been let and the inamdar himself cultivates it he can virtually transfer ryoti land to private land. It is not a matter of one-tenth of the estate. It will be so transferred from the mere accident that for a certain short time that land has not been let out. In other words you are going against the very principle of the Act, viz., once ryoti land it remains ryoti land always. For these reasons, Sir, I think that Government cannot possibly accept any of these proposed amendments. I must oppose them."

* Mr. T. C. SRINIVASA AYYANGAR:—" Sir, I have listened to the speech of the Hon. the Revenue Member very carefully and I speak subject to correction, that it disclosed a confusion of ideas. We must keep distinct the rights that would come into existence from the Bill and the rights which are now in operation by the existing laws. Whether it is jungle land or other land, it is the property of the inamdar. The method of using it is a matter of his discretion. The existing laws never prescribed that the inamdar should get it cultivated only by himself or by hired staff if he wanted to keep both varams for himself. He can cultivate it himself or have it cultivated by or let to others, in any way he pleased and enjoy it, there was no prohibition. It is this Bill that seeks to change the incidents; the inamdar shall be a landlord only and nothing more; the inamdar shall be elevated to or damned into the position of a zamindar. I deal with his unwanted rights under the existing laws which he is in danger of losing. The very restricted provisions in the Bill are utterly insufficient. Look at the requisites which are put in even in the four categories of private land. Even in the case of inamdars who are agriculturists by profession, they cannot have the land unless they had cultivated the land continuously for 12 years prior to July 1908 or prior to November 1933 directly and not by letting. *Now it is the Bill which makes the inamdar* a non-cultivator and if the inamdar proposes to be a cultivator or desires to continue as cultivator he must satisfy the very limited categories which are mentioned in the definition of private land.

"Now, even within the scheme of the present Bill, there is scope for preserving the inamdars' rights in certain ways by having certain more categories of private land as mentioned in the amendment, and when none else has got a vested right, what can be the reason against the inamdars retaining lands for cultivation, whether it is jungle or unoccupied land or even arable lands not owned already by tenants? Similarly the categories must be enlarged for other similar purposes, especially when it cannot be denied that the inamdar's rights are sought to be taken away. We say that certain further categories will have to be added to the private land for the benefit of the inamdar out of the lands in which he has a right and not out of the lands in which somebody has got a right. 12-45 p.m.

"Now, one point I may mention about item (vii) in my amendment. It deals with lands let prior to 1st July 1918 as the landholder's own property. I wonder why anybody should stand against this. I will now read the provision in clause 6 in the Bill No. 10 of 1934 of the Hon. Sir Archibald Campbell:

'In section 185 of the said Act, for the words and figures "was before the first day of July 1898 specifically let as private land," the words, letter and figures, "was specifically let as private land before the first day of July 1898 or in the case of any estate within the meaning of sub-clause (d) of clause (2) of section 3, before the first day of July 1918," shall be substituted.'

"The letting of even private land was well-known and well recognized and was legal. Even such cases with reference to private land, was sought to be protected in the said previous Bill. There is nothing unknown or objectionable in the proposal which is contained in my amendment. There is nothing which is illegal or opposed to the principles of any jurisprudence referred to by the expert Member. I do not believe that jurisprudence is a monopoly of the expert, who comes from Ganjam or Orissa. He has found a supporter in Mr. Raman Menon, coming from Malabar who took up the position that the land should be cultivated by somebody or other in the public interests. I ask him why not the inamdar himself when he so desires. Again Manu is referred to, also Parasurama to justify this sort of expropriation. According to my Friend Mr. Raman Menon, Parasurama would allow such expropriation. He does not explain it. Perhaps the expert would have done well to have offered some elucidation to the enjoyment of this House."

The Hon. Sir CHARLES SOUTER:—"I should just like to ask the hon. Member this as a matter of personal interest: is it not the case that Parasurama expropriated land from the sea?" (Laughter.)

* Mr. T. C. SRINIVASA AYYANGAR:—"Not from any tenant or inamdar. (Laughter.) That I hope will satisfy the Hon. the Revenue Member. Now an element of Brahman-Non-Brahman controversy is sought to be brought in. I desire to say, as I mentioned yesterday, I believe, when I interrupted my hon. Friend, that we should not bring in the question of Brahman and Non-Brahman. I do not know what the

case is in that part of Ganjam, which is now in Orissa. Of the Andhra districts also I have no personal knowledge. (Mr. P. V. Krishnayya Choudari: 'Most of the inamdars are Non-Brahmans'.) I say that not only most of the present holders of the inams but also a fair portion of the grantees of inams in our parts of the Tamil country are Non-Brahmans. I mention this not to raise a communal controversy over this question, but to set it at rest. I know the party in power is an anti-Brahman party. But I do not believe even they want to do things which will be injurious to the cause of anybody or to the proprietary interest of anybody. I do not wish to say anything further on that. I may say that in South India among the original grantees in inams there were a great many Non-Brahmans. Potters hold very many whole villages as inams. The senior members of the family do their appointed duties in the villages while the other members and dependents cultivate the lands. There are many such villages. Where cultivation was done by others, they collected the melvaram. Then, there were many Muhammadan recipients of inams granted by Hindu Rajas and Mussalman Nawabs. Such inams are now held by their descendants and transferees some cultivating the lands themselves and others letting them to tenants. I can multiply instances in the Tanjore district, in the Madura district and in the Ramnad district, where there were many religious personages among Non-Brahmans who were recipients of inams. The Brahman inam-holders, the agraharamdars, in some districts in very ancient times, either, out of prudence or out of necessity, fixed a particular ratio of the extent of the arable lands in the village generally half, reserving both varams to themselves and giving away the other half to the tenants, i.e., giving kudivaram right to the tenants what is called 'kudikarai,' and the other half was known as 'Pannaikarai.' The holders of kudikarai, i.e., the permanent occupancy ryots cultivating Pannaikarai lands also paying therefor a little additional rent called 'Swamibogum.' We find that in most of the villages whose original grantees were Non-Brahmans, the inamdars hold both the varams, and the tenures are so varied due to the passage of time and due to local conditions. The expert quoted Sir T. Muthuswami Ayyar. Let me also read what was laid down by Sir Charles Turner and Sir T. Muthuswami Ayyar (I.L.R. 5, Madras 345, at page 355):

'The circumstances of the several provinces and indeed of districts within provinces have so greatly varied that it would be unreasonable to expect to find nowadays uniformity in the customary law regulating the relations of landlord and tenant if at any time it existed.'

Now, Sir, such being the case, we want to avoid unnecessary hardship, unnecessary spoliation of the rights of property and injurious interference with the relations between the landlord and the tenant by making provisions to preserve in some lands at least, the rights of the inamdars. That will not in the least interfere with the existing rights of the tenants. I believe my Hon. Friend the Revenue Member mentioned yesterday that the condition of the inam tenants was very

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unsatisfactory and was much worse than any other class of tenants, and in fact he said that nobody contradicted his statement. I wonder how he can say that, who admitted it. A controversy about the economic condition of the inam tenants as compared to other tenants is not relevant. What we are now dealing with is about inam tenants and inamdars. Did the Hon. the Revenue Member vouchsafe a reply to the argument advanced from this side that the inamdar's conditions are not superior. We say that whatever may be the condition of the inam ryots, the economic condition of inamdars themselves in many cases is as bad as that of the tenants. It is why we cry that no investigation has been made in that direction, that no data have been collected. It is not for us to contradict or affirm the Hon. the Revenue Member. He may be right; he may not be right. From what I have been saying in another connexion, it is obvious that the Government had many opportunities for investigation into this matter. Efforts to amend the original Act was going on from 1922 at least till 1932; during this time some investigation went on, and committees were sitting one after another; the Bill emerging therefrom did not substantially change the relationship between the landlord and the tenant and in regard to inams hardly any change in substance. That was the policy observed as a result of those investigations. The present attempt is for a radical change. It is that that we object to. Even on the assumption of the Hon. the Revenue Member that the condition of the inam ryots are so bad, we cannot expropriate the inamdars for the purpose of doing something to inam tenants. So, I do enter a emphatic protest against that statement of the Hon. the Revenue Member. There is no data whatever to say that the condition of the inam tenants is due to the inamdars. On the other hand, if their condition is so bad what about the other side? What we are asking here by this amendment is a small addition in the shape of some more categories from out of the property which are now the inamdar's and will be taken away from the inamdar by this Bill, which should not be done but reserved to them. I do not think any jurisprudence will thereby be violated, and no rights of anybody will be lost. I hope therefore the House will accept the amendment."

The amendment was put and lost.

New proviso after clause 2.

* Mr. T. C. SRINIVASA AYYANGAR :—" Sir, with your permission, I should like to make a slight change in the wording of my next amendment and move it in the modified form. This amendment is intended to except villages in the whole of which no tenant owns the kudivaram. So, I desire to move my amendment in the following form :—

' *At the end of clause* 2, add *a proviso as follows* :—

" *Provided that any inam village in regard to the lands in which any landholder has obtained before the* 1*st day of November* 1933, *a final decree or order of a civil court*

establishing that the tenant has no occupancy right before the commencement of the Madras Estates Land (Third Amendment) Act, 1936, shall not be treated as an estate within the meaning of section 3, clause (d) of the Act ".'

This amendment seeks to create an exception in the definition of 'estate' in respect of villages in which the court of law has declared that no tenant owns a kudivaram.

"I desire to add only very few words."

p.m. * The Hon. Sir CHARLES SOUTER :—" Before my hon. Friend proceeds further, may I say a few words? I should first of all like to know how this amendment is worded so that I can consider its effect. To enable me to do that, would he consent to the postponement of consideration of this amendment to add a proviso to clause 2? We can go on with the next amendment and in the meantime I may be able to consider this amendment."

Mr. T. C. SRINIVASA AYYANGAR :—" I am very much obliged to the Hon. Member. I pray that the consideration of this amendment may be postponed."

The consideration of the amendment was postponed.

Clause 3.

Section 6.

Mr. T. S. RAMASWAMI AYYAR :—" Mr. President, Sir, I desire to move the following amendment."

The Hon. Sir CHARLES SOUTER :—" May I point out, Sir, that we have had no notice of this amendment to be moved by the hon. Member."

* The Hon. the PRESIDENT :—" Mr. T. S. Ramaswami Ayyar gave notice of this amendment yesterday so that he could have an opportunity of moving it."

* Mr. T. S. RAMASWAMI AYYAR :—" I gave notice of this amendment yesterday in order that I might move it even if Mr. B. Pocker Sahib happened to be not present to move it. I move, Sir,

'*In sub-section* (1) *of section* 6 *of the Act*, add *the following proviso* :—

" *Provided that nothing in this section or any other provision of the Madras Estates Land (Third Amendment) Act,* 1936, *shall have the effect of vesting a permanent right of occupancy in any tenant now in occupation or hereafter let into possession of any land in any village which was granted in inam to a religious or charitable institution and which continued to be owned and enjoyed by such institution and which was not an estate before the*

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commencement of the Madras Estates Land (Third Amendment) Act, 1936, or ceased to be an estate before that Act but became an estate by virtue of that Act ".'

" My idea is that even though lands in inams are now being brought under the purview of the Act and occupancy rights are given to the tenants, an exception may be made in the case of charitable and religious institutions. In the case of many of the temple inams both the varams were intended to be granted. The case law on the subject also indicates that in many of these cases both the varams formed part of the gift. That in the case of religious and charitable institutions both these varams should have been granted is clear from the fact that to meet the necessary expenditure for the upkeep of these institutions, the amount required was what could be got only if the institutions had both the varams. Only if the institutions had both the varams, it would be possible for them to get rents at fair rates to meet all the expenses connected with those institutions; after all these years, to say that these religious and charitable institutions should not have the kudivaram right vested in them, would mean the deprivation of a portion of their normal revenue which was needed to keep them functioning.

" My hon. Friend from Orissa spoke at length about public policy this morning. I would ask him to find out what public policy there is in depriving these religious and charitable institutions of the amount of money that they have been granted for their maintenance. (Mr. M. G. Patnaik: ' They should be really charitable.') Whether they are really charitable or not is a matter on which my hon. Friend may have better information than myself. The words that I have used in the amendment are clear. They merely say ' religious or charitable institutions.' Whether or not they are really charitable or really religious is a matter of opinion and my hon. Friend perhaps has definite views on the subject which he may elucidate for the information of this House. I am not prepared to enter into that controversy. It is enough for my purpose to say that in many of these cases, the original grantors really meant to give both the varams to the grantees and that is the reason why these institutions have flourished so long. Now, Sir, when the State is anxious that religious and charitable institutions should be maintained and when the Government went to the extent of passing the Hindu Religious Endowments Act and constituted a Board for the preservation and continuance of these institutions, why do they now state that necessary funds may not be available to those institutions?

" I desire to mention a handicap which these religious institutions are subjected to. We know that schemes have been framed in respect of some of the temples and durgas and those schemes have made it incumbent on trustees to let out the lands on lease. So that in the case of these institutions which had both the varams, there is the fact

that courts of law have declared under the schemes that it is incumbent on the trustees not to have cultivation themselves either by hired labour or otherwise but that they should lease out the lands and now these institutions have lost the kudivaram rights because they have not themselves cultivated the lands. Take for example the case of a big temple or durga. About hundreds of acres of land are leased out for a few years to a person after calling for tenders. It now comes to this that the institution owning those lands has lost the melvaram right and the lessee becomes an occupancy right. Even under the administration of the Endowments Board this state of affairs is in vogue. In the case of religious institutions the instructions given by the Endowments Board are to the effect that the trustees should invariably lease out the lands and not themselves cultivate the same by hired labour. The State through the courts or the Religious Endowments Board on the one hand says that even if charitable institutions have melvaram rights they should lease out the lands for cultivation and on the other hand this Bill says that you having not exercised the kudivaram right the same has lapsed. Sir, as a matter of public policy, if any institution requires State help, it is the religious or charitable institution.

"Sir, I have used the word 'religion' in this amendment in order that it may not be confined to any one religion. It may apply to the Hindu religion, the Muhammadan religion or the Christian religion. We know that inams have been granted to institutions of various religions. I therefore feel that by the passing of this Act we will be depriving the various religious institutions of the valuable right which they have all along enjoyed. These institutions would be very hard hit by this Bill unless some amendment is made to make an exception in their cases. Sir, I have so worded the amendment as not to help the institutions where kudivaram rights have been recognized either by custom or by the decisions of courts to vest in the tenants. It is only in cases where it has not yet been established that kudivaram right vests in the tenant that I ask you not to deprive the religious institutions of their rights."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"Sir, I have great pleasure in seconding this amendment. I think it is but right that these religious institutions ought not to be deprived of their kudivaram and melvaram rights which they have been exercising for a long time.

"Another point to be remembered in this connexion is that the Government have been financing the Hindu Religious Endowments Board and I believe very shortly they will be also financing a Muslim Endowments Board. The Endowments Board is finding it very hard to repay the loans which the Government have advanced to it. The Board gets contributions from the religious institutions under their control.

"If you now deprive the temples of their kudivaram rights, the Board's financial position will become worse."

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* Mr. K. A. NACHIYAPPA GOUNDER:—" Mr. President, I rise to support the motion before the House. The hon. Mover has made out a case for excepting these inams and he has explained how the religious and charitable institutions will be affected by the proposed measure. I know, Sir, that in many of these cases lands have been granted for the enjoyment of both the varams; otherwise the revenues would not be sufficient to meet the needs of those institutions. If only the Government had arranged to prepare data with regard to these inams, they would have shown how it would have been quite impossible for these religious institutions to have the usual rites performed therein without the income obtained from the possession of both the varams. But, Sir, they have not called for information with regards to these important matters and want to deprive these institutions of their revenues. Here we have to consider whether it is justifiable to take away the rights of these institutions to these varams. Besides these temples and other religious institutions, I may inform the House, Sir, there are other public institutions that have also got inam lands. We have got the local bodies owning choultries and other institutions and they have also got inams from which they are getting some revenue. By this measure we will be depriving the local bodies also of some portions of their income. So, Sir, this is a thing which you will have to take into consideration before passing this measure. This amendment deserves special consideration. In very many of the institutions we find that there are certain rites to be performed and for the performance of which certain sums are required. If we take away the much paying rights of the religious and other institutions on their inam lands by a measure of this kind, they will not have sufficient means at their disposal to discharge their duties in the usual manner and in course of time the affairs of these institutions will come to a deadlock.

" So, this was one of the main reasons which impelled me to move the adjournment motion, but unfortunately it was defeated. I appeal to the Government here at least they will be pleased to look into the matter and see whether they cannot exclude the temple inams from the hardships which will be inflicted on inams on account of this enactment. If they do this, they will be doing great good to the people in general and respecting the religious instincts of the various communities, the Hindus, Mussalmans and Christians because the religious institutions of all these communities happen to own inams of some kind or other. Therefore it is necessary that we must pay some heed to this question and not carry on the legislation which will ultimately bring these institutions to ruin. So I appeal to the Hon. the Revenue Member and other hon. Members of this House to take this aspect of the matter into consideration and bestow some thought upon it and see whether these inams cannot be left untouched." 1-1[illegible] p.m

* Mr. K. P. RAMAN MENON:—" Sir, if there is any inam to which the least protection should be given under this Bill, it is the inams granted to these religious institutions. My reason is this: so far as

inams to human beings are concerned, at least there is a chance of that family to which these inams belong multiplying and consequently there is a chance of other mouths being fed from the income of these inams. So far as these religious institutions are concerned, they never give birth to children. As a matter of fact they were granted to certain deities which have no mouths to feed. There is also another aspect of the matter. So far as these religious inams are concerned, looking at it from the ordinary common sense point of view, there is no reason to suppose why inams granted to religious and charitable institutions should be put on a different level from that on which inams granted to human beings are put. Let us face facts. There is no reason and there is nothing gained by saying that these religious institutions are holy and we are not to lay our hands on them. Are they working vigorously as before? Do they serve the purpose for which they were originally intended? No. Yet, you want to pamper them. Only a few of them are surviving to-day in a moribund state. Yet you want to pamper them and want to keep them in tact? It was asked by my hon. Friend Mr. T. S. Ramaswami Ayyar whether, with reference to charitable institutions, it was not more often that both the varams had been made the subject of inams. It may or may not be so. I do not question the settled rights. But the very object of this legislation is to see that that mis-carriage of justice so far as the ryots are concerned is righted. The Privy Council has laid down a particular rule of law which affects the interests of the ryots adversely and we want to correct it. That is the basic principle on which this Bill is based. If that is so, there is hardly any room for my hon. Friend Mr. Ramaswami Ayyar's contention. Mr. Ramaswami Ayyar said that in the case of inams both the varams are mostly the subject-matter so far as religious and charitable institutions are concerned. If we can by this legislation amend the law so far as one decision with regard to one kind of varam is concerned, we can amend the law with reference to the other thing also. It has been pointed out that Government are anxious to preserve these religious institutions and the Religious Endowments Act has been pointed out as an instance in point. It may be that I am irreligious in these matters. But if I am allowed to have my own way and express my own opinion, I am of opinion that that Act has been a step in the wrong direction. I would go the length of saying that if they had abolished all these religious institutions and transferred the revenues arising therefrom to administration of justice and other useful public purposes, that would have been the best course. I would not be sorry if anybody does like that. I wish that some one like Henry VIII of England would spring up in this country.

" It was also pointed out by my friend Mr. Ramaswami Ayyar, that the object of these endowments so far as charitable or religious institutions are concerned was that those institutions were entitled to the full benefit flowing from such lands. It could not have been so. It could not have been so because they were not rack-renting in those days.

It cannot be supposed at this distance of time that there was any scope for competition among tenants in those days, and anybody would have tried to rack-rent in those days as they do now.

"As has been pointed out on various occasions a person who is regarded as the ryot is the man who is the actual occupant of the land. The middle man is the man to whom certain privileges have been granted by the zamindar but who does not cultivate the land. Therefore if you do not want that any protection should be given to the middle man or the inamdar, it follows that these institutions are religious institutions they should not escape from the category of inamdars.

"I submit therefore that if at all there is any reason to be urged for not granting any particular amenities to inamdars, the need is greater so far as these religious institutions are concerned and they stand at a lower level than domestic institutions to which grants have been made. I submit therefore that this amendment should not be accepted."

* The Hon. Sir CHARLES SOUTER:—"I must very strongly oppose this amendment. I have listened with very great attention to the arguments advanced in support of it. One of the arguments put forward was that if a tenant in an inam granted to religious or charitable institution is given the occupancy right, it interferes in some ways with the revenue or the rent which that institution gets. Surely, Sir, this cannot be the case. It can only interfere with such rent if power is given to the temple or the religious institution to collect such rent as it thinks fit. In other words it can only interfere with the rent which that institution gets if it is rack-renting. The whole scheme of the Bill is to prevent such rack-renting. The other day when the representative of one of the biggest religious institutions in Southern India came to see me, he advanced this argument in all seriousness; that if this Bill is passed it would prevent his temple from exacting from his tenants the duty of doing service within the temple. In other words it prevents the temples from making their tenants a source of revenue. That such arguments were advanced by a responsible head of a big math in this Presidency is to my mind a conclusive argument for including such inams within the scope of this Bill. If we are to reject this amendment, it would make no difference so far as the collection of legitimate rents which the temples are now getting is concerned. That is the point which we must constantly bear in mind and we should not be led astray by religious or sentimental considerations as to whether this institution is religious or that institution is religious. We have got to fix in our mind one point, viz., what is the best that we can do for the tenants who cultivate the lands? Whether both the varams go to the temple or not is to my mind in this particular case almost irrelevant. If for a long time the inamdars have been allowed not only to rack-rent but also exact labour from their tenants to which no other tenant under any other system of land tenure in this Presidency is liable, then I hold that we must totally reject this amendment.

" There is a great deal in what my hon. Friend Mr. Raman Menon said. I do not know if King Henry VIII was as popular as my hon. Friend Mr. Raman Menon considers he would be to-day. The drastic action which Henry VIII took was to cleanse the churches and the monasteries and a great many of the abuses which existed in those days. One of the abuses which exists in the temple to-day is this rack-renting. Another is forced labour. Without going so far as Henry VIII if we only stop these two things, we shall have done a great deal. I therefore trust that this House will not accept this amendment."

(After Lunch—2-30 p.m.)

Mr. ABDUL HAMEED KHAN :—" Mr. President, Sir, I would not have intervened in this debate except for the speech of the hon. Member Mr. Raman Menon. In spite of his age and vast experience, and the very stable position he holds in life, he made a very extraordinary speech this morning. He referred to religious institutions in a very disparaging manner. It is no doubt true that there are religious institutions which are not conducted in a very systematic and orderly manner and whose incomes derived from inams are misused. But I submit that the remedy he has suggested for the evils which do exist in some of the institutions is certainly not of the right type. Indians are an essentially religious people and they will be, I am sure, the last in the world to carry out the suggestions of my hon. Friend, namely, that we might even go to the extent of abolishing these places of worship. If one looks back to the times when these inams were given to the various religious institutions belonging to the several communities—Hindus, Mussalmans and Christians—it will be found that they were given for the maintenance and upkeep of those institutions. Many of these institutions are well maintained from the income of these endowments but some of the institutions have gone to ruin because certain people have misused the income from the endowments. But the remedy, so far as the Hindu religious institutions are concerned, lies in the Hindu Religious Endowments Board taking up the matter, and so far as the Muslim ones are concerned in the Board that is going to be brought into existence taking up the matter and setting it right, and seeing to it that the incomes derived from the endowments of the religious institutions are properly used. When we are legislating to enable inam tenants to get occupancy rights, we must make some distinction between inams owned by lay people and inams granted to religious institutions. There is no purpose served in placing the two on the same footing, for we must remember the object with which these inams had been endowed. If we find that these inams are properly managed and that their revenues are utilized for the maintenance of the religious institutions, I think we ought to enable these religious institutions to have these inams in tact and not interfere with them in any manner whatsoever. I do believe that the tenants must secure their rights, but

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certainly it should not be at the expense of the religious institutions. I therefore support the amendment which has been moved by my hon. Friend Mr. T. S. Ramaswami Ayyar."

Rao Bahadur P. C. MUTHU CHETTIYAR spoke in Tamil and the following is an English summary of the speech:—

"Sir, man commits so many misdeeds in this world. The deities in the temples are made of stone or metal so that man may not easily interfere with them and shake them in any way. That is one idea. Malabar, Sir, is a very religious place; it is a place of many big temples. It is the land of Parasurama. I am surprised to hear that an hon. Member, who comes from that holy land, should talk ill of temples generally and say that they are not necessary. These temples, Sir, according to Puranas, were built by God himself in his several manifestations. They are very sacred.

"Coming to the amendment, Sir, I have to say one word. We have already made the Evidence Act of the Government of India unnecessary by enacting here that the tribunal appointed under this Bill should not consider certain categories of evidence. If we enact the provision now under discussion, I am afraid the Hindu Religious Endowments Board will have no work to do, because there will be no endowments.

"During the Great War we all prayed to Goddess Minakshi for 2
our success. There have been many European District Judges who P
delivered judgments on cases from divine inspiration. Service to a temple does not mean serfdom. Lands were given to temple servants for the purpose of rendering some service or other to the temple. It is stated in the Vedas that anybody interfering with religious endowments will commit the sin of murdering milch cows; all those who help the maintenance and preservation of religious endowments earn merit. My hon. Friend, Mr. Appadurai Pillai, has been District Collector; he will never say that these temple religious endowments must be done away with. These inams have been given to poor people who are dependent upon them."

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, I wish to say a few words. I never thought that anybody would bring forward an amendment to exempt inams granted to religious or charitable institutions. I thought that no donor would ever think of granting the kudivaram right to the religious institutions; because the heads of these institutions would not have ever thought of cultivating such lands. They would always get some income from the land and that income would be utilized for charitable purposes, or for religious purposes. The endowments themselves were never intended for the progress of agriculture or for the carrying on of agriculture. We do not find any endowment having been made for that purpose. As I said the other day, cultivation or ploughing of land is held to be very sinful. A man ploughing a land one day is said to commit as much sin as a fisherman

commits by catching fishes for a whole year. Taking into consideration the ideas of those days, we cannot come to the conclusion that it was intended that cultivation should be done by these men. That is one point.

" The second point is this: here frankly my hon. Friend, Mr. Ramaswami Ayyar, admitted that it is intended to get competitive rent from the ryots as well as induce people to serve the temples . . ."

Mr. T. S. RAMASWAMI AYYAR :—" I did not mention any service at all."

Sriman M. G. PATNAIK Mahasayo :—" Your principal has done it in the memorandum."

Mr. T. S. RAMASWAMI AYYAR :—" I object to the hon. Member saying so; I have no principal for whom I am speaking. I would like the hon. Member to withdraw his statement."

Sriman M. G. PATNAIK Mahasayo :—" We all represent some people or other."

Mr. T. S. RAMASWAMI AYYAR :—" I ask for the protection of the Chair."

* The Hon. the PRESIDENT :—" When the hon. Member says that he is not speaking on behalf of any principal, the hon. Member would not be right to refer to it."

Sriman M. G. PATNAIK Mahasayo :—" We are representing the public, including Matadhipathis or heads of religious and charitable institutions."

* The Hon. the PRESIDENT :—" But the hon. Member (Mr. T. S. Ramaswami Ayyar) says that he is not speaking on behalf of anybody."

Sriman M. G. PATNAIK Mahasayo :—" If that can be swallowed by the House, I have not the least objection to withdraw my statement. The Mahant himself has said that service is done.

" First of all, they want to get competitive rent. The income that is derived from the land can be utilized for the benefit of the poor. The purpose of these religious and charitable institutions is that the income should be used for the benefit of the poor. The beneficiaries are the poor. There is no doubt about that. What are you going to do? You are going to make the cultivator pay more than he ought to. If that is so, you will be very cruel to these people; the institutions will be very cruel to them, the cultivators. I think that could not have been intended by the donors.

" The second thing is this: if a man renders service out of devotion, that will be meritorious; it is, I think, wrong to force a man to do service. I could not follow the Tamil speech. If I understand the purport of the Tamil speech correctly, my answer is that if a man is forced to do any service to the temple, he is a slave and a serf. If he

voluntarily renders service or if he does it from a religious point of view, then he earns merit. If he is forced to do it, he commits sin. On these grounds also I say that these inams should not be treated separately from other inams."

* Mr. T. C. SRINIVASA AYYANGAR :—" Sir, I very much regret that there has been so much of discussion on this amendment. Both the hon. Mover and the hon. the Revenue Member confined themselves to points relevant to the amendment before the House; but unfortunately, my hon. Friend, Mr. Raman Menon, who I dare say only desired to elucidate the matter by bringing in his vast experience, has said something of a really very controversial character. We generally appreciate the high sense of responsibility with which he speaks, and we are accustomed to deal with his speeches with considerable respect. But there are circumstances in which the best of motives alone will not do if there be a failure to realize certain local conditions. The religious institutions on the West Coast and those on the side of Ganjam and Orissa, in their origin, in the various peculiarities and in the usages which cluster round them, are so very different from the temples particularly in the Tamil Nad, east of the Ghats and south of Madras. The hon. the Expert Member is not satisfied in dealing with questions of the rights and liabilities which arise from the bill under consideration, with the existing laws which bind us and which ought to be administered by courts and other public bodies; but he has quoted from Manu; he also went to Parasurama and lastly he has gone to Parasara and I do not know to whom else he will go. I can certainly follow him and quote Avvai and Tiruvalluvar or a host of other shastraic authorities, would it be proper or useful. 3 P.M.

" So far as Mr. Raman Menon's speech is concerned, I am bound to say that most of the temples on the West Coast, as I understand, are claimed as private properties belonging to particular families. The ceremonies and the services for which various gifts and endowments are made and maintained in this part of the country have no correspondence there. Customs and religious usages and incidents of tenures in the endowed inams to temples in the East Coast differ from Malabar; I do not think that Mr. Raman Menon's advice in this matter can be accepted. I do not know whether what he said would be listened to in a religious-ridden country like India, and I do not know whether even the party now behind the hon. Ministers will support all the sentiments which he has expressed. No doubt he might have been familiar with particular cases of abuse in particular parts of his country and quite easily he relied upon them and took for granted that similar abuses might exist generally in other parts of the country also. But are we now on the question of cleansing the temples of all abuses, either in regard to the details of worship or in regard to the nature of the services which are performed, or even in regard to the way in which the properties are being administered? We have nothing to do with such things

at present. Each department has got its own functions; the Religious Endowments Board is expected to attend to all such matters and there are perhaps other public bodies too. The point that we have now to consider is this: is there any differential treatment called for in the case of temple endowments as regards the relationship between the tenants and the inamdar (the religious institution concerned).

"Sir, there are big temples with very vast endowments in whole inam villages like Tirupati, Conjeeveram, Madura, Rameswaram, Tiruchendur, Alagarkoil and Srivilliputtur; there are many other temples where the endowments are not as vast. I know that in the case of certain big religious iustitutions, the landed endowments being vast estates have been for long administered in the same way as some of the zamin villages have been administered. I think the endowments of the Rameswaram Devastanam which are situated in about four districts are administered in the same way as a zamin. It is one of *those temples in which not* only *the revenue from the lands but also* cash offerings from pilgrims who resort to it from all places between the Himalayas and the Cape Camorin, go to sustain the institution. In such cases, difficulties may not be felt. But in the case of many institutions, difficulties would arise if kudivaram rights are taken away. Religious endowments are of various types: (1) gifts which were made to the deity, (2) gifts which were made to holders of particular offices; so long as they hold such offices and perform the functions appertaining thereto properly, they can hold the inams—they are inamdars for all practical purposes—and (3) gifts made to particular persons, subject to the burden of certain services. These are under certain circumstances alienable and heritable. The *inamdars and the members of* their family own both the varams in many cases. Without this full right they would be not in a position to discharge their responsibilities. That is why on a former occasion I have mentioned that inams in this Presidency should be investigated before legislation *like this is* undertaken.

"Now, Sir, with reference to the amendment now before the House, I may say there are innumerable institutions—and I can speak with a fair amount of familiarity—which hold both the varams in the endowments, but a single uniform method of dealing with all inams, personal, religious, etc., from Orissa to Cape Camorin would certainly he creating confusion and an amount of discontent *which is not at all* warranted. There is not really much in the arguments advanced by either the expert member or by others who expressed similar sentiments against religious institutions as such. Mr. Raman Menon's argument that there were many mouths in many families to be fed in the name of these inams, that the deities were not being actually fed, or some such thing, tending to expropriate the rights of these institutions, is neither tenable, nor carrying out the intentions of the donors. The sentiments of the people would be shocked. There may be cases, as I said, in

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which endowments are not being put to the use they were intended for. If so, the remedy must be to rectify but not to take away the kudivaram right from the institution and make the position worse. I therefore support the amendment."

* Mr. T. S. RAMASWAMI AYYAR:—" After what I heard from the hon. Member from Orissa, I do not think any useful purpose will be served by members adducing arguments; because if one questions the motives of hon. Members here, there is no use speaking on the resolution. Still, I think it is my duty to advert to some of the matters referred to by the Hon. the Revenue Member. The Hon. the Revenue Member said that in the case of charitable institutions, there is a greater case for the lands belonging to them being brought under the Bill. He referred to the conversation he had with the head of a math who seems to have mentioned to him about the service by the tenants which according to the Hon. the Revenue Member amounted to something like serfdom. I think it is wrong to say that rack-renting exists in all these inam villages. If the Hon. the Revenue Member will only look into the statement made by his predecessor-in-office, Sir Archibald Campbell, when he piloted this measure on a previous occasion, he would find that Sir Archibald admitted that Government had made no enquiries—that was in answer to a question specifically put to him by me. After that statement, unless the Government have made subsequent enquiries, it is not right to say that rack-renting exists in inams. As a matter of fact, in the case of temples, there is less opportunity for rack-renting than in other cases. In the case of a private individual, he is anxious to get as much money as possible from the tenants; but in the case of the temples, what happens is this: in theory the deity is the owner of the estate, and there is a person who is entrusted with the administration of the trust. There is no incentive for the trustee to get more from the ryot than what is really due. I expect that if the Hindu Religious Endowments Board is consulted, they will say that in the case of temples, the trustees are not getting as much revenue as they ought to from the lands under their control. Therefore there can be no question of rack-renting in these inams.

" With regard to the question of service, my hon. friend from Madura, who spoke in Tamil said that service does not amount to serfdom. I think the Hon. the Revenue Member will also agree, service in temples is not always of a degrading nature. When temple lands are let out to tenants, it is done sometimes at a nominal rate and sometimes at a rent less than the proper rate in view of the service that is rendered by the tenant. When Government themselves admit the existence of service inams, how can they say that service by tenants in temples means serfdom? I therefore feel, Sir, that the arguments adduced by the Hon. the Revenue Member do not support the contention that in the case of the charitable institutions, there is no case for their being excluded from the scope of this Bill."

* The Hon. Sir CHARLES SOUTER:—" I should just like to say one or two words before coming to what my hon. Friend, Mr. Ramaswami Ayyar, said just now. I never said that in all temples rack-renting prevails. I said that in some it does, and that, I think, is a true statement of fact. And if you are really going to go by pure theory, you must concede that in the case of temple inams, the mere fact that they are temple inams gives the matathipathis who are the trustees such a hold over their tenants as could not possibly be exercised by a private person. They have only to turn round to the tenants and say: by refusing to pay this increased rent, you are acting against the will of God. Such a privilege no private person can possibly have. I do not say that tenants in other inams are not liable to rack-renting, but that, from the situation as it exists to-day, hon. Members will concede that in the case of temple inams there are certainly greater chances of rack-renting than in other inams.

" As regards the question of service, I have before me here a letter addressed to the President and Members of the Legislative Council by the Pandarasannadhi of the Dharmapuram math; let me read portions therefrom to hon. Members:

'In maths and temples a number of festivals in honour of the presiding deities or the original spiritual heads are being celebrated all the year round. On such occasions, the services of cultivating tenants are requisitioned. They bear the deities; they decorate the vahanams; they drag the cars and they serve in ever so many ways. They are an indispensable part of the machinery. They are no doubt paid well for their services in the shape of paddy and food. As it is, these cultivating tenants are now under an obligation to render such services.
15 If they are now made occupancy tenants, as it is proposed under the new Act,
n. then they will not do the services as before.'

" Could anything be plainer than those words? They bear out exactly my contention, which I made before, that these tenants in temple inams are in fact the servants of the temples and are supposed to do work which has no relation to the tenure of their lands. To say that people of that sort should be excluded from the beneficial provisions of this Bill is to my mind not proper and if any one deserves protection, it is these tenants who are called upon to do acts of this kind. Therefore, I say, on the admitted facts of the temple authorities, this motion ought not to be supported by this House."

The amendment was put and declared lost.

Mr. T. S. Ramaswami Ayyar demanded a poll and the House divided thus:—

Ayes.

1 Dr. P. Subbarayan.
2 Mr. T. C. Srinivasa Ayyangar.
3 Abdul Hameed Khan Sahib Bahadur.
4 Basheer Ahmed Sayeed Sahib Bahadur.
5 Mr. T. S. Ramaswami Ayyar.
6 ,, V. T. Arasu.
7 Rao Bahadur P. C. Muthu Chettiyar.
8 Mr. P. Peddi Raju.
9 ,, K. A. Nachiyappa Gounder.
10 ,, K. S. Sivasubramania Ayyar.
11 ,, P. M. Thangal.

Noes.

1 The Hon. Rao Bahadur A. T. Pannirselvam.
2 ,, Sir Charles Souter.
3 ,, Sir Geoffrey Bracken.
4 ,, Mr. C. F. Brackenbury.
5 ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6 ,, Mr. P. T. Rajan.
7 ,, The Raja of Bobbili.
8 Diwan Bahadur C. Natesa Mudaliyar.
9 Mrs. K. Alamelumangathayaramma.
10 Mr. W. Scott Brown.
11 ,, H. R. Uzielli.
12 ,, C. E. Jones.
13 ,, H. M. Hood.
14 ,, R. Madanagopal Nayudu.
15 ,, T. B. Russell.
16 ,, T. Sundara Rao Nayudu.
17 Khan Sahib Syed Tajuddin Sahib Bahadur.
18 Mr. I. C. Iswaran Pillai.
19 Diwan Bahadur R. Srinivasan.
20 ,, A. Appadurai Pillai.
21 Mr. K. C. M. Venkatachala Rediyar.
22 ,, G. Ranganatha Mudaliyar.
23 ,, C. D. Nayagam.
24 ,, M. Devadasan.
25 ,, S. M. Laljan.
26 ,, B. P. Sesha Reddi.
27 ,, P. C. Moses.
28 Mr. P. V. Rajagopala Pillai.
29 ,, V. G. Vasudeva Pillai.
30 Sriman M. G. Patnaik Mahasayo.
31 Mr. P. K. Ramachandra Padayachi.
32 Rao Sahib V. Dharmalingam Pillai.
33 Rao Bahadur D. Krishnamurti.
34 The Kumararaja of Venkatagiri.
35 The Senior Zamindar of Tekkali.
36 The Zamindar of Bodinayakkanur.
37 Mr. Daniel Thomas.
38 ,, J. Kuppuswami Choudari.
39 ,, C. Indrayya.
40 ,, K. Pattabhiramayya.
41 Rao Sahib C. Jayaram Nayudu.
42 ,, D. V. Narasimhaswami.
43 ,, Pandit Ganala Ramamurti.
44 Mr. K. Kesavaramamurti.
45 ,, M. B. Rangaswami Reddi.
46 ,, K. P. Raman Menon.
47 ,, G. R. Premayya.
48 ,, K. Koti Reddi.
49 ,, V. P. Narayanan Nambiyar.
50 Rao Bahadur R. K. Venugopal Nayudu.
51 Mr. C. Ramalinga Reddi.
52 Rao Sahib V. I. Muniswami Pillai.
53 S. M. K. Beyabani Sahib Bahadur.
54 Rao Bahadur Subadar-Major S. A. Nanjappa Bahadur.
55 Mr. P. V. Krishnayya Choudari.
56 Swami A. S. Sahajanandam.
57 Mr. C. Basu Dev.

Neutral.

1 Mr. P. Ratnavelu Thevar.

Ayes 11. *Noes* 57. *Neutral* 1.

The motion was lost.

Mr. BASHEER AHMED SAYEED:—" Sir, I rise to move the amendment which stands in my name, viz.,—

' *Add* as Explanation (3), the following:—

" *In the case of an inam village which was not an estate before the commencement of the Madras Estates Land (Third Amendment) Act,* 1936, *but became an estate by virtue of that Act, in respect of any land which does not fall under any of the categories referred to in paragraphs* (*i*) *to* (*x*) *of sub-clause* (*b*) *of clause* (10) *of section* 3, *or under the category referred to in sub-section* (4) *or sub-section* (5) *of section* 8 *and the kudivaram in which was vested in the landholder on the* 1*st day of November* 1933 *and has been retained by him ever since, no ryot now in possession or who shall hereafter be admitted by the landholder to possession of such land shall have a*

permanent right of occupancy unless and until he pays to tl landholder compensation for such land to be determined the manner provided hereunder ".'

" Sir, it might be contended that this amendment is already co tained in the words ' subject to the provisions of this Act ' in section but the object of the amendment is to make the position clearer. Con pensation under the new section is awarded only with reference to tl occupancy rights created under the amendment Act of 1933. Instea of saying ' subject to the provisions of this Act,' though it might inclu also the provisions that are now being enacted, I want to make the pos tion clearer. True, compensation might be applied and be availabl in the case of new kinds of occupancy rights created under section That is the object with which I move this amendment, which seeks t make the position clear. It might be contended by the Hon. th Revenue Member that the phrase ' subject to the provisions of thi Act ' would serve the purpose; but when we are legislating, I conside it desirable that the position should be made as explicit as possibl Hence the amendment."

Mr. T. C. SRINIVASA AYYANGAR :—" I second the amendment, Si Apparently, the mover's view is that the expression ' subject to th provisions of this Act ' in section 6, will not do, because in the prese scheme, we find in clause 9-A, two sections are introduced, namel sections 185-A and 185-B. A reading of the various parts of clause 9- will show that on payment of compensation as may be decided upo by the court or on the offer of compensation to which both the lan holder as well as the tenant may agree, the inamdar or the landhold shall convey to the tenant the kudivaram right in it. That is the pr vision made in the Amending Act. That being so, it must fit in wi the provision in section 6 of the old Act. Now section 6 of the old A automatically vests the kudivaram in the tenant, as that was the schen of the original arrangement in 1908. It naturally relates to those pr visions which never contemplated compensation. Here, a new conti gency is considered. Therefore, to avoid any ambiguity, the ho Mover wants to put in this amendment. This will not add to the right nor take away the rights, nor would in any way interfere with tl scheme of the Bill. The whole question is, whether ' subject to th provisions of this Act ' would do. If the amendment is covered in th clauses that are going to be introduced, then this amendment seems be unnecessary. But if on the other hand, the words ' subject to th provisions of this Act ' mean the provisions of the Act that alread exist or by virtue of the new additions the wording will cover the ne additions also, then also this amendment would be unnecessary. An way, I second the amendment, so that it might be explained by th Government."

* The Hon. Sir CHARLES SOUTER :—" Mr. President, Sir, I thin my hon. Friend, Mr. T. C. Srinivasa Ayyangar has explained wh this has been brought forward. But, I think both he and the Move

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ave forgotten that, if the provisions of this Bill are included as we ope they will be, in the original Act, all the provisions of the original ict will apply *pari passu* to the provisions which we are introducing ow. In section 6 of the original Act, the words 'subject to the proisions of this Act every ryot now in possession . . . shall have ermanent right of occupancy' will qualify anything that we introuce now. That is clear, so that this amendment which is now proosed is quite unnecessary to carry out the purpose which the hon. the fover has in view. In view of that fact, I hope the hon. Member will rithdraw his amendment."

Mr. BASHEER AHMED SAYEED:—"In view of the explanation given y the Hon. the Revenue Member, I do not press the amendment, Sir."
The amendment was by leave withdrawn.

* The Hon. the PRESIDENT:—"Before we proceed with the other mendments, I wish to inform hon. Members that I am not going to eceive any further amendments to this Bill at this stage. Already he amendments are too many and it might create confusion if more mendments are put in. Unless it is an agreed amendment from all ides, there is no use of having any more amendments."

Mr. P. V. KRISHNAYYA CHOUDARI:—"What about amendment fo. 17, Sir?"

Mr. T. C. SRINIVASA AYYANGAR:—"I have already sent up a reised amendment and after the office circulates it, the Hon. the Revenue fember might consider it, Sir. I hope it will not take much time."

* The Hon. the PRESIDENT:—"We shall now deal with the two mendments under this clause and then think of the other amendient."

Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, I move— 3-30 p.m.

> '*In clause 3, explanation (2), for the words " meaning the thirtieth day of June 1934 and the expression ' hereafter ' in this subsection shall be construed as meaning the period after the thirtieth day of June 1934 ", the following words " referring to the date of the commencement of the Madras Estates Land (Third Amendment) Act, 1936, and the expression ' hereafter ' in this sub-section shall be construed as referring to the period after the date of the commencement of that Act " shall be substituted.*'

"Sir, the object of the amendment is not to allow the operation of is Act to commence from the 30th June 1934 but to have it postponed. 'he object is not to go back but that this may come into force from the ate on which it becomes law. The thirtieth day of June 1934 has been xed by an arbitrary process. So I hope that the Government will nd it possible to accept the amendment."

* *Rao Bahadur* P. C. MUTHU CHETTIYAR seconded the amendment in a Tamil speech of which the following is an English summary:—

If no adequate reasons could be given for giving retrospective effect to the operation of the Act, it ought to come into force from the date on which it received the assent of the Viceroy and became law. No reasons have been given. It cannot be seriously contended that owing to the retrospective effect not having been given, the whole scheme of the Act was vitiated. So he thought it better that effect to this legislation should be given in the normal way.

* The Hon. Sir CHARLES SOUTER:—"Mr. President, Sir, I am surprised at this amendment because I find that when in 1934 it was proposed to alter the date, my predecessor, Sir Archibald Campbell did alter the date from the 1st November 1933 to the 30th June 1934. The change was accepted by Mr. T. C. Srinivasa Ayyangar on behalf of the inamdars. Are we now to go back upon that? I think that the acceptance of the change then by the representatives of the inamdars ought to hold good still. According to the original Act the tenants were protected from ejectment from the 30th June 1934. The object of the amendment is to take away that protection. On this ground also I must oppose the motion."

The amendment was put and lost.

Mr. T. C. SRINIVASA AYYANGAR:—"Mr. President, in place of the [a] amendment the consideration of which was postponed in the forenoon, I move—

'At the end of clause 2, *add* a proviso as follows:—

"*Provided that any inam village wherein any landholder has obtained before the* 1st *day of November* 1933, *a final decree or order of a civil court establishing that no tenant has occupancy right in the village, shall not be treated as an estate within the meaning of section* 3, *clause* (*d*) *of the Act*".'

"Sir, one has to a very great extent repeat one's arguments so as to make one's contention clear when different aspects of a major question are dealt with. I desire to avoid repetition as far as possible but yet I cannot help recalling a few facts which are directly relevant. Even in the Inam Commissioner's report we find two classes of inams: (1) inam villages where both the varams, cultivators' interest as well as the sovereign's interest converge in the same person, that is, the proprietorship of the soil rests in the inamdars; and (2) inams where these two interests reside in different persons, the tenant owning kudivaram and the inamdar melvaram. Such cases existed even prior to the Inam Commission and the Inam Commission found it to be so. Even now there are whole inam villages in which both rights completely vest in the inamdars. It would be proper to exempt from the operation of the Bill all such cases. However, the amendment aims at a more

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[a] Vide page 84 supra.

moderate relief in respect of villages wherein the ownership of both the varams by the inamdar has been pronounced by a decree or order of a court. These rights have been proved to inhere in the inamdar by evidence before a court of law and the rights declared to be vested in them. It is but proper that in a legislation of this kind any rights that have been so declared should be protected. I, therefore, commend this amendment for the consideration of the House."

The amendment was duly seconded.

* The Hon. Sir CHARLES SOUTER:—" Mr. President, it is true that my hon. Friend has whittled down this amendment to a very great extent and he now seeks to bring within its ambit only those inamdars who possess both the varams. It would practically destroy the occupancy right of the tenants of the whole village if in a small portion of it the right has been declared to be vested in the inamdar. It is rather an extravagant demand. We must recognize that inams have sometimes been subdivided into very small holdings. If the inamdar establishes that in one of those portions the inamdar has got the occupancy right, that would mean that the rest have not that right. That being the natural consequence of the wording of the amendment, I must oppose the amendment."

Mr. T. C. SRINIVASA AYYANGAR:—" I expressly whittled down the amendment because my original amendment was wider and it might be contended that that would involve disputable cases. The cases of villages covered by final judgment or decree or order of the civil court cannot involve any doubt. The amendment as it is, is not likely to lead to the danger of some one obtaining decree and others claiming similar rights. I need not repeat what I said in my opening remarks. There is nothing harmful in the amendment. Money has been expended, rival claims were adjudicated and the right has been held to vest in the inamdar in a court of law. My submission is that such cases should be protected."

The amendment was put and lost.

Clauses 2 and 3 were put and carried.

Clause 4.

Section 8.

* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, I move—

'*Add* the following as new sub-section (6) after sub-section (5) of section 8:—

" *If after the commencement of the Madras Estates Land (Third Amendment) Act,* 1936, *the landholder in an estate within the meaning of sub-clause* (*d*) *of clause* (2) *of section* 3 *purchases the kudivaram right in any land for valuable consideration either by private treaty or at a sale for arrears of rent and cultivated it himself by his own servants*

or by hired labour with his own or hired stock for a continuous period of twelve years from such purchase he shall, notwithstanding anything contained in the other provisions of the Act, be entitled to apply to the Collector and have such land recorded as his private land".'

.45 m. "You will see, Sir, the classes of private land wherein the inamdar can have kudivaram rights under the Bill, are those which have been cultivated by the inamdar directly or cultivated with hired labour, etc. The principle underlying the Bill and deducible from it appears to be to favour cultivating inamdars. All that is asked in this amendment is that those inamdars who will continue to be or develop into cultivators may be given the same relief. This amendment does not seek to retain any pre-existing rights, sought to be taken away by the Bill. This amendment does not seek to interfere with any right of the tenant. In the course of the working of the Bill, under the incidents created by it, the inamdar may either get by purchase *inter vivos* or in rent sales the kudivaram in land. He becomes legally the owner. If the inamdar cultivates continuously for twelve years, under the circumstances mentioned in the amendment such land becomes the private land of the inamdar. There is nothing extravagant in it. It is merely a slight extension of the very principle underlying the Bill. I hope the expert will not find some loophole to oppose the proposal. If the policy be that inamdars should not develop into cultivating class, then this must be opposed."

Mr. P. PEDDI RAJU:—"I second it. Even in the Malabar Tenancy Act certain rights are provided whereunder the janmi can become the cultivator and if he wants the land he can get it. Here we are only providing for cases where the inamdar can be converted into cultivator, be he a Brahman or non-Brahman, provided he pays proper price for it and gets the land. I do not know why anybody should be prevented from becoming a cultivator after the purchase of land."

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, this is again an attempt to get special treatment for the inamdars. This is an attempt to reproduce old section 8:—

'Notwithstanding anything contained in this section where before or after the commencement of this Act, the kudivaram interest in any land comprised in an estate falling within clause (*d*) of sub-section (2) of section (3) has been or is acquired by the inamdar, such land shall cease to be part of the estate.'

It practically comes to this. The effect of this amendment is when a person purchases a land either for valuable consideration or in a revenue sale and continues in possession for some time he would acquire the rights and he would hold it as a private land. The policy of the Act is not to extend the categories of private land. They must be restricted as far as possible. Here in regard to these whole inam villages the definition was widened to some extent in order to compensate the inamdars for the error committed in 1908. The intention of the present Bill is to assimilate the position of the inamdar to that of the

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other landholders within the meaning of the Act. If that is so, the whole Bill would become useless if this one amendment is accepted; there is no doubt about it. What you give by one hand, you would take away by the other The principle of the Act is to be found in section 8, clause (1):

' Whenever before or after the commencement of this Act, the occupancy right in land vests in the landholder, he shall have no right to hold the land as a ryot, but shall hold it as landholder.'

This is the principle which underlies the whole of the scheme of the Act. If that is taken away it would of course mean special treatment. Therefore it is opposed to principle and cannot be accepted."

* The Hon. Sir CHARLES SOUTER :—" Mr. President, Sir, I think that the arguments advanced by my friend, Mr. Patnaik, are conclusive against this amendment. I cannot see why when once a land is classed ryoti land under the general scheme of the Act, we should allow it to go back to private land. That in intention and in effect is what this amendment would result in. As was said by Sir Archibald Campbell, the principle is that these inamdars' private land should be separate and we should not allow it to be converted hereafter. Once you recognize it as ryoti land it continues to be ryoti land. That is the position that I have always been taking with regard to ryoti land, that the occupancy right once recognized should not be taken away. Obviously, it is open to very great dangers and I think on that ground I must oppose this measure."

* Mr. T. C. SRINIVASA AYYANGAR :—" I shall take only very few minutes in reply. Both the Member and the expert saw tremendous dangers lurking behind this innocent amendment. Private land must be measured and not an inch should be added to it afterwards. What is private land? Is there not the element of inamdar being a cultivator? If so, where is the difficulty in making a provision to widen the definition of private land so as to cover cases where at least for twelve years . . . (Interruption). I cannot be answering interjections or allow my remarks to be punctuated by others. I decline that help. Let him open his mind if he is open to conviction, even if he feels an obligation to oppose. When an inamdar himself cultivates for a space of 12 years that at least is a very good proof that no rack-renting, or enslaving the tenant, is involved and that the landholder would put the land to appropriate use and deserve protection. If in respect of lands not stolen from others, in respect of lands not got by dispossessing others, in respect of lands not wilfully taken, in respect of lands where the right is not disputed, in respect of lands for which the inamdar paid valuable consideration, and which he acquired by means known to law and became owner, if in respect of these lands after this Bill became law, he himself would be the cultivator either directly or indirectly for twelve years, recognize them as private lands. Why should they not be so recognized? What danger will overtake the country? What danger will overtake the tenants or ordered progress

of the society? If, on the other hand, the principle is how to deprive the inamdar, frankly avow it and state it, then there will be an end of all discussion. I believe you have put in this very Bill the idea which we want in another shape. The expert member said that a mistake was made in 1908 by the Council. Whatever that may be, let us not make any mistake now."

The amendment was put and lost.

Clause 4 was put and carried.

Clause 5.

Mr. T. C. SRINIVASA AYYANGAR:—" I beg to move—

'*that clause 5 be omitted.*'

" The clause as it is in the Bill which I seek to omit by my amendment is this:—

> '*Where in any suit or proceeding it becomes necessary to determine whether an inam village or a separated part of an inam village was or was not an estate within the meaning of this Act as it stood before the commencement of the Madras Estates Land Third Amendment Act, 1936, it shall be presumed, until the contrary is shown, that such village or part was an estate.*'

I really do not understand the purpose of the clause. What is the difficulty that can possibly arise to save which this has been put in? No proper reasons exist for such a provision. One of the sound canons of legislation is that when substantial rights are dealt with, no legislation can have retrospective force, unless very high policies of state are involved or very grave dangers are sought to be avoided. What is such a danger in this case? None that I can think of. Suppose a case in which acquisition of land took place, and that the final decision is not yet come to by the appellate authority, although litigation was commenced earlier than the Bill. Then are the final decisions to be given as per the old Act or the new law of this Bill? What is the class of cases to which this clause is intended to apply? Then it will be proper to specify the cases to which the clause with its retrospective effect is applicable. I think something substantial will have to be urged for giving so broad a retrospective operation affecting substantive rights."

Mr. P. PEDDI RAJU:—" I second it."

* The Hon. Sir CHARLES SOUTER:—" Mr. President, I beg to oppose this amendment. It does again start the question as to whether an inam village was an estate or not, and the burden of proving it is on the party raising the question. I say the presumption is that until the contrary is shown such village or part of it will be considered an estate. The safeguard in this provision is based on that presumption. It seems to me that it is very necessary that this provision should remain. I cannot see that the consequences anticipated by Mr. T. C. Srinivasa Ayyangar

will necessarily arise by the retention of this provision. On those grounds, I must oppose this amendment."

The amendment was put and lost.

Clause 5 was then put and carried.

Clauses 6 and 7 were also put and carried.

Clauses 8 and 9.

Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, with your permission I shall move my amendment to clauses 8 and 9 together. In both these clauses the subject-matter is the same. So, I move—

' for *clauses* 8 *and* 9, substitute *the original clauses as they stood in the Bill as introduced*.'

" Mr. President, Sir, the object of retaining the original clauses as proposed in the Bill when it was introduced is mainly to avoid further litigation. The Bill itself is intended to avoid litigation. This Bill is also brought up to rectify the Privy Council decisions and to do benefit to the ryot population. At present, Sir, the procedure to define ' private land ' will allow litigation to go up to the Privy Council, in which case the inamdars will be crushed on account of litigation expenses, and the tenant also will equally be crushed. To avoid that contingency, in the interests of both the inamdar and the ryot, the procedure is simplified. Now, Sir, the tribunal that decides under this Bill is the final authority. Thereby it gives a lot of relief. Another thing is that the rights on the strength of documents and other evidence also will be decided within a period of two years. Otherwise, there will be eternal litigation between the inamdar and the tenant. Within that two years' time, the tenants or the inamdars themselves must decide which is private land and which is the land in which the tenant has got a right. If that is decided within that two years' period—or it may take one or two years more because the objections have to be raised within those two years—after that period, at least the ryots and inamdars can be on more friendly terms. But, if litigation is permitted to continue eternally, there may not be peace between the inamdars and the tenants. To avoid such a contingency, this record of rights, if it is maintained once for all, will be beneficial both to the inamdar and to the tenant. The original intention of Government itself when they introduced this Bill was that these clauses 8 and 9 were for the purpose of safeguarding the interests of both the parties. But unfortunately in the Select Committee, those original clauses in the Bill were dropped, under the idea that they were going to increase litigation within that period of two years. Though that may increase litigation within that period of two years, subsequently it will put an end to litigation altogether. If there is at all any litigation, it will be within that period of two years. So, I believe that the original clauses 8 and 9 of the Bill as

introduced should be retained, rather than accepting the amendment of the Select Committee. With that observation, I move my amendment."

Sriman M. G. PATNAIK Mahasayo:—" Mr. President, in seconding this amendment . . ."

* Mr. T. C. SRINIVASA AYYANGAR :—" Is it open to him as an Expert Member on behalf of Government to second this amendment? He is an Expert Member appointed by the Government who, I believe, should oppose as the Government opposed. I merely want to know the position, Sir."

* The Hon. the PRESIDENT:—" The hon. Member himself even yesterday enunciated that the Expert Member need not be on one side alone."

* Sriman M. G. PATNAIK Mahasayo:—" I have given notice of a similar amendment myself. However, I second the motion made by Mr. P. V. Krishnayya Choudari. One of the objects of this Bill is to put an end to the protracted litigation which was in evidence in regard to this sub-clause (d), and that can be done only by settling as early as possible all the outstanding disputes between the inamdar and his tenant. Therefore, a special procedure was provided, and power was given to the revenue authorities to decide upon application to be presented by inamdars for recording certain lands as their private land. If they failed to do that within a prescribed time then they would not be in a position to claim thereafter that any such land was private land. This provision was inserted, I may say, in the interests of the inamdars themselves. The inamdars complained that they never maintained any records which would go to show that they had any private land. In that case, the best thing is to see that a record of rights is prepared at once. Otherwise, there will be hard swearing on both sides. Then, the greater the lapse of time, the greater will be the undue advantage taken by both parties to create evidence. So, to avoid all such fabrication of evidence and to settle all outstanding disputes, it was considered desirable to have this special procedure, by which in the first instance the collector, that is, the divisional officer himself, enquires into the matter. Then of course the parties may go to the District Collector on appeal and then to the Inam Commissioner, and the decision of the Inam Commissioner becomes final. If that is not done, it will be possible for the inamdar or the tenant to go on creating evidence and then the whip or the blow will be felt even after ten years or later. There will always be the sword of Damocles hanging over the head of the tenant. The inamdar might claim that the whole village is his private land. Therefore the Government originally thought that those clauses 8 and 9 should be there and that a special procedure should be resorted to. But unfortunately at the last Select Committee meeting, that provision was cut out on the misapprehension, I would say, that it will giv

are prepared not to claim any land as private land, very many applications would not be filed, and if such applications are filed, they would be very soon disposed of. Then there would be no opportunity for fabricating evidence or for perjury. Therefore, it is quite desirable in the public interest that such enquiry should be started as early as possible and an authoritative record prepared. With these words, I second the amendment moved by Mr. Krishnayya Choudari."

Mr. T. C. SRINIVASA AYYANGAR:—" If I may do so, with your permission, I would request the Hon. the Revenue Member to deal with the subject."

* The Hon. Sir CHARLES SOUTER:—" I am sorry, Sir, that I must oppose this amendment. I regret to do so because the original clauses were introduced after my predecessor in office had apparently discussed this matter with the Leaders of the House. But my objection to the original clause 8 is, broadly speaking, this, that it forces people to go to a court when there may be no necessity to do so. In addition to that, the procedure there laid down is so intricate and cumbersome that it will be giving an enormous amount of trouble not only to the parties themselves but also to the courts which have to decide the issue. I very much doubt whether our revenue divisional officers, that is the collectors under the Bill, would within a reasonable time be able to cope with this enormous amount of work which we impose upon them. The apprehension that by delaying a record of rights it may be open to one or other of the parties to bring up this question for an unlimited time afterwards, I think personally, has no very great foundation. I believe 4-
the same sort of apprehensions were entertained so far as the Malabar p.m.
Tenancy Bill was concerned, and those apprehensions never materialized. I do object to forcing a person to go to court to establish a right unless he feels himself inclined to do so. I sympathize with the idea that we must have a record of rights all finished within a very short time; but after all, here we are dealing not with a mathematical problem or something of that kind. We are dealing here with human beings to whom we must allow a reasonable amount of latitude and I do not think that, simply because we leave the parties to establish their rights as and when they wish, it necessarily follows that the dangers to which Mr. Patnaik referred, will occur. We discussed this matter for nearly two days, if I may say so, in the Select Committee, and there, as the House knows from the report of the proceedings of the Select Committee, we agreed to omit clause 8 as it stood by a very large majority—I think it was 9 to 3. The reasons why we did so were what I have stated. I think, now to go back on what we decided then and recommended to the House, is unnecessary. Apart from that, I cannot see that the present section 183 of the existing Act does not give all the protection that is necessary. It says:

'183 (1). In the case of any land alleged to be a landholder's private land, on the application of the landholder or of any occupant and on his depositing

the required amount for expenses, the Collector may, subject to rules made in this behalf by the Local Government, ascertain and record whether the land is or is not a landholder's private land.'

It seems to me that if a landholder or an occupant is really anxious to have his land recorded one way or the other, he has full power to do so and to put on him this obligation under the original clause 8 will be practically to compel him to do so within two years of the passing of this Act. This seems to me an unnecessary restriction on his personal freedom. On this ground, Sir, on behalf of the Government, I must oppose this motion."

* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, I must thank the Hon. the Revenue Member for the frank opposition which he entered against this proposal. It is a serious question whether it is right that the inamdars are deprived of so much of their rights, and allowed only to retain kudivaram, in the few cases of private land. Assuming it is right, are you to give them also the costly luxury of litigation, obliging them to get declared these attenuated items of right? Is it necessary or fair? The inamdars are not now acquiring rights nor are there any such new rights that are to be declared. What about the cost? Now, to a man who cries for bread, three stones are to be offered. This is no beneficent legislation. There may be no dispute, there may not be a tenant in most lands of the categories of private land. Still all must go to courts for declaration. The Expert Member has placed himself in an invidious position. If the amendment be passed, there would ensue an epidemic of litigation which would range from Ganjam to Tinnevelly and from the Bay of Bengal to the Arabian Sea or perhaps the ghauts. Now it may be an awful spectacle in which I do not know who will be the person to benefit, inamdar or tenant. Neither. Surely another class of people (lawyers) may find themselves suddenly in possession of a very large number of briefs. It is a procedure unheard of. Disputes between a landholder and a ryot is not a normal feature. The more normal cases, harmonious relationships, seldom are the rule. Therefore I submit that the amendment moved by Mr. Krishnayya Choudari cannot have the acceptance of the House."

Mr. C. RAMALINGA REDDI:—" As a layman, I find myself, Mr. President, somewhat in a difficulty over this question. Like most Members belonging to the Congress party, I am in favour of creating conditions under which the amount of litigation in our country would be limited or diminished. I am unable to agree with my Hon. Friend, Sir Charles Souter, in thinking that this limitation of time which has been embodied in the original Bill and in the Bill as presented here would not have the effect, at least of mitigating the amount of litigation possible under this Act. My Hon. Friend seems to feel that there may probably be an infringement of the rights of the people to establish their claims at the time they consider most suitable. What I want to know is this: Was not the kind of idea that is now sought to be incorporated by the

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amendment of Mr. Krishnayya Choudari there in the Bill as sent up to the Government of India? Did not the Government of Madras consider deeply over the matter and come to a conclusion that such and such limitation was necessary in the interests of the tenant if not also of the inamdar? And was not this also to be found in the Bill as introduced in this Council subsequently? Under these conditions how are we now to accept my Hon. Friend's plea that a change has suddenly become quite necessary? What I fail to understand is this: The Viceroy returned the Bill to us with the observation that, as it then stood, it was confiscatory and that, if compensation was provided for, the inamdars' objection would be met. I do not see why in these circumstances the Government did not re-introduce the Bill in exactly the same form as they had sent it up to the Government of India, only with the addition of the compensation clause. (A voice: 'That was what was done.') What was then the need for the Select Committee going into the whole thing as if it were *de novo*, and raising up of the old issues? It seems to me that if we had confined ourselves to the original Bill as passed by this House and taken only the proposals for compensation into consideration, we could have saved the time of the House and not allowed the trouble to re-start and range all over the field. As I find that the idea that my hon. Friend, Mr. Krishnayya Choudari, and the Expert Member want to see re-introduced is already there and as I am not convinced with the arguments of my Hon. Friend, the Revenue Member—and he must have argued for this clause in those days—(A voice: 'He was not then here'), I feel that if we have this amendment adjourned till to-morrow, we may be able to think over and come to a definite conclusion. I formally move—

> '*that the consideration of clauses 8 and 9 be adjourned till to-morrow*'."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"I second it."

* The Hon. the RAJA OF BOBBILI:—"Mr. President, Sir, as one connected with the history of this legislation, I just wish to take this opportunity, with your permission, to say how this provision, now sought to be deleted, was first incorporated in this measure. After the amendments for including whole inam villages in the category of estates had been passed by this House in 1933, one of the main requests made by the inamdars and their representatives was that Government should hold an enquiry throughout the Presidency and find out how many of their villages are really estates and how many outside the scope of this definition and that then only it would be fair for the Government to bring forward this Bill. Of course it was pointed out on the other side that an enquiry of that nature by an official or non-official committee would not serve any useful purpose, since the conclusions which might be reached by such a committee cannot be enforced on either the inamdars or the tenants and that each party would, in spite of the work of the committee, be at liberty to dispute their claim in a court of law.

But, in order to meet the view, point of the inamdars, as the then Revenue Member thought, this proposal for a summary enquiry and registration as private land within a brief period of time so as to avoid further litigation was made by him. On the day this proposal was made it was unanimously agreed to in the Select Committee, and I may state that my hon. Friend, Mr. T. C. Srinivasa Ayyangar, was also present that day. I need not tire the House with a narration of the subsequent history of this matter when the agreement of the previous day was repudiated by articles in the Press. But, unfortunately for us, we had to conform to the Legislative Council Rules, and things which were agreed to in the Select Committee could not be undone afterwards. Now it is very easy for my hon. Friend, Mr. Srinivasa Ayyangar, to argue the other way without at the same time showing in what way any injustice is being done to the inamdars or in what way hardship is being caused to them. Is not the main object of this legislation to minimize ruinous litigation to both sides and is it fair that he should now speak in this manner wishing to have the satisfaction of scoring a point against those who have been consistently supporting this measure?

" As regards the other question placed before the Government that this will throw a heavy volume of work on the revenue courts, I may be permitted to respectfully point out that the proposed provision does not in any way compel either the courts or the parties concerned to decide all the issues within two years.

4-30 p.m. " The object is that those who claim or who consider that they have legal claims of certain portions of inams to be classified as private lands, should put in applications before the courts, I believe, within two years after this Bill becomes law. That does not mean that courts should rush through their business and pronounce judgments within those years. It is open to the courts to take their own time and proceed with their work. I am not at all suggesting that there will be no additional work. Of course every Act passed by this House would necessarily increase the work of the courts, but I am sure that after this period of three or five years is over, there will be a considerable reduction in the volume of litigation after once all these questions are settled. With your permission, Sir, I shall read a short extract from the speech of the Hon. Sir Archibald Campbell which he delivered on 23rd October 1934 when Bill No. 10 of 1934 was under discussion. This is what he says:—

' Mr. President. Sir, my hon. Friend, Mr. Patnaik, has explained the reasons that led the Government to suggest this solution of the difficulty. I was certainly given to understand that practically no inamdars possessed any private land within the definition of Act I of 1908. If I recollect correctly in the Select Committee my hon. Friend, Mr T. C. Srinivasa Ayyangar, stated that in the Ramnad district there are some cases of inamdars having pannai land. We have therefore retained the old definition of private land and extended it as in the Bill. It was also strongly impressed upon me that section 185 was not of the slightest use to the inamdars, that none of them ever let any land specifically as private land and that the safeguard left in the old Act was of no use to them whatsoever. It is for this reason that we have devised this new method by which

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we have an enquiry made by the revenue officials and the Inam Commissioner who is a Member of the Board of Revenue, to settle once for all what shall be "private land" in the inam villages; and we have also specified what may be regarded as private land for that purpose. I submit, Sir, if we carry out this new scheme which is provided in the Bill, it is quite unnecessary to retain the alternative scheme'

and so on. My submission is I am not at all denying that the provisions made are far more complicated than the existing ones. I submit that it should not be the main ground for deleting this provision. I must confess that Mr. T. C. Srinivasa Ayyangar has not given us any grounds or made out any case in what way these provisions are going to detrimentally affect the interests of the inamdars. Of course nobody wants to increase litigation. That is conceded. But under the provisions of this Bill it is the court alone that can decide what is a ryoti land and what is private land. If not to-day, at least on some day we will have to decide what is ryoti land and what is private land. So the court is given that power.

"I do not want to be unreasonable and if Mr. Srinivasa Ayyangar can really prove that any injustice is being done to the cause which he represents, we on this side are certainly prepared to consider the matter. I would therefore suggest to my Hon. Colleague, the Revenue Member, that discussion on this particular provision may be postponed till to-morrow and we may proceed with the rest of the clauses now which will give sufficient work to the House."

* Mr. T. C. Srinivasa Ayyangar:—"Mr. President, Sir, I desire to make a personal explanation, but if this motion for adjournment before the House be open to discussion, I wish to speak and in so doing I shall offer the personal explanation in the course of my speech on the motion for adjournment.

"Sir, the Hon. Minister was good enough to assign me a conspicuous position in this discussion by saying that I was also present in the Select Committee when Bill No. 10 of 1934 was under discussion, leading to an inference of consent. I was present and I was one of the Members. My Friends Messrs. Peddi Raju, K. R. Venkatarama Ayyar, Patnaik Mahasayo, the Hon. the Raja of Bobbili and many others were also present in the Committee. At the Committee meeting on the first day, a general desire was expressed and we also desired a meeting informally so that we might, by a free exchange of views, arrive at some satisfactory solution. We had an informal meeting. The mover of the Bill suggested a scheme. That was very inadequate to safeguard the inamdars' rights. It was, however, mentioned that within the scheme of bringing all inam villages under the Bill, the just rights of the inamdars could be safeguarded appropriately by increasing the items of private land. On that understanding, the scheme was discussed. Mr. K. R. Venkatarama Ayyar who led the discussion in the inamdars' interest, expressly stated that his discussion was tentative and that his consent would depend on

the nature of the scheme which might finally emerge out of the discus sion if the just rights of the inamdars were safeguarded. And becaus we agreed it ought not to be said that we agreed to the scheme. In fac the Hon. the Revenue Member, Sir Archibald Campbell, said to th same effect. This is what the recorded minutes show:—

'After some discussion the Committee decided to take up the suggestions of the informal conference one by one . . . Mr. Venkatarama Ayyar made it clear that his acceptance of this clause was dependent upon the decisions of the Committee on clause 6, setting forth the grounds on which an inamdar may apply for the inclusion of any land in the record which decisions in turn would determine his attitude towards the whole scheme. He wanted to propose certain amendments to be added to the grounds mentioned in clause 6.'

Then the minutes goes on to say (this is important)—

'The Hon. the Revenue Member said that the Committee understood his position clearly and added that it was always open to a Member to say at the end when the details had been settled that he did not agree to the scheme and that he preferred the original Bill; this was indeed the Revenue Member's own position as the proposals had not yet been considered by the Government as a whole.'

The Hon. the Revenue Member made it clear that both sides might approach each other in a *bona fide* effort to produce an agreed measure, each side reserving to itself to adopt its own course, if considered proper, on the final outcome. One suggestion might enter at one stage. Another suggestion might be cut out at another stage. In this way neither party might be willing to adopt the final scheme. In fact it so happened. The amendments to improve the scheme from the inamdars' side were nearly all voted down in the Committee. Then, following what he originally stated and reserved, Mr. Venkatarama Ayyar said: I read from the minutes of the Select Committee on Bill No. 10 of 1934:—

'All the amendments having been disposed of, he had entered into the discussion of the scheme with readiness and enthusiasm in the hope that care would be taken to implement as far as possible the starting proposition of the Hon. the Revenue Member that the aim of this legislation was to leave unaffected vested rights on both sides. Now he found that the policy has not only been not allowed to be adhered to, but was also thoroughly frustrated by the voting down of the various amendments without which the rights could not be preserved. He could not therefore give his adhesion to the scheme as it now emerged from the Select Committee. He would rather have the Bill as introduced with some improvements.'

Sir, as my Hon. Friend, the Chief Minister, mentioned my name, let me read also what I said on that occasion. This is what is stated: I read from the minutes:—

'Mr. T. C. Srinivasa Ayyangar remarked that he expected that the undoubted rights of the inamdars would be preserved. But he was disappointed and so felt sorry that he could not agree with the scheme as passed by the Select Committee, which had made the position of the inamdars decidedly worse than it was.'

Let me not detain the House by reading further extracts from the minutes. That was the position. I was not a consenting party in any sense to this measure, to the peculiar procedure. On the other hand when the Select Committee report was presented to this Council and the matter came up for discussion in the Council, I moved an amendment

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to delete the provision regarding this special procedure. The discussion on that amendment, you will find reported in pages 217 to 221 in the report of the Council Proceedings, Volume LXXIII. I need not read much. This is what I said:—

'Mr. President, Sir, in view of the observations made by my hon. Friend, Mr. Mandhata Patnaik I think it is incumbent upon me to make a few remarks to dispel misconceptions which may otherwise prevail. He made an observation as if the inamdars' representatives were agreeing parties to the scheme that emerged out of the Select Committee. Nothing can be further from the facts. My hon. Friend, Mr. Muniswami Nayudu, who sat in the Select Committee, will bear me out. I do not think I am divulging any secrets of the Select Committee. The published minutes of the proceedings of the Select Committee would show what really transpired. Ever since last year the inamdars were crying that their rights were in jeopardy and that the provisions in the Bill which were confiscatory of their rights should be eliminated or substantially modified . . . When the Select Committee met the next day, it was taken up for discussion. Mr. Venkatarama Ayyar led the discussion from the point of view of the inamdars. When dealing with the very first item that all inam villages should be estates, he clearly expressed that his acceptance of this clause was dependent upon the Committee agreeing to include in the record further categories of land in which the inamdar had both the varams, so that his undoubted rights could be safeguarded. The Mover, the Hon. the Revenue Member, also stated that it was open to every Member of the Committee to alter the scheme by amendments which he considered appropriate and that any Member might say at the end after the scheme had developed whether he agreed to the whole scheme or not.'

"Therefore there is little foundation for saying that either we wanted this wonderful scheme or that we wanted to bring upon ourselves a course of costly litigation, to establish the tit-bits left to us out of our undoubted rights—rights being ours, not requiring a declaration—by an application before the Collector with an appeal to the District Collector and a second appeal to the Inam Commissioner, on pain of losing our rights if we failed to apply in two years. Surely the inamdars are not so foolish as to desire all this. I wonder why the inamdars should be given all this. Is it that the inamdars should be forced to go to courts and invite opposition? Suppose an inamdar puts in an application, whom is he to implead as the tenant, at any rate, with reference to the second and third categories of private land which, ex hypothesi, are cultivated by the inamdar himself or by hired labour or by hired stock? There can be no tenant there. Litigation is inevitable when somebody opposes or takes away the right of another. But this is an original method of litigation in which there can be no opponent but still the inamdar must go before the court and have his right recognized. It is not a right which was going to be acquired, but it is a right which he has, out of a larger right, part of which is taken away leaving a rump. It was said that we wanted an enquiry into the economic condition of the ryots and the inamdars, the nature of the tenure and lines of proper legislation, etc. Yes. What we wanted was an enquiry in the usual course prior to legislation. When the rights of large sections of the people are sought to be affected, when the conditions of large sections of people are sought to be ameliorated, conflicting interests would exist, and conflicting obligations have to be composed; an enquiry should take place by disinterested and informed men

appointed by or by officers of the Government and proposals for legislation based on the data collected must be placed before the Council. But such a thing was never attempted. We wanted an enquiry not under an Act, the result of a Bill which was conceived in the absence of data and previous investigations. To say that we wanted it is wrong. May I ask, Sir, whether this needless provision in the legislation will not increase litigation all over the Presidency? The Hon. the Revenue Member said that no difficulties have been found in the working of the existing Act regarding private land. Then why this special provision for the poor people? Can they afford this litigation? Would the cost of this litigation be equal at all to the benefit which is likely to be derived therefrom? Surely this is not what inamdars or even tenants want. This is not just. This is not the sort of procedure required in the circumstances. Sir, as for the necessity or otherwise for adjourning this subject, I will leave it to you. I support the motion that the consideration of clauses 8 and 9 be adjourned till to-morrow."

* The Hon. the PRESIDENT:—"I will put the motion for adjournment to the vote of the House."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I wonder why my hon. Friend should oppose this motion. This morning when he wanted the adjournment of the discussion of amendment No. 16, we agreed to it as a matter of courtesy without pressing the adjournment motion to a division. He might show similar courtesy now."

Mr. T. C. SRINIVASA AYYANGAR:—"I have only formally opposed the motion, for otherwise I could not speak on the subject. If it is a return courtesy that the hon. Member expects, I have no objection to show it."

The motion that the consideration on clauses 8 and 9 be adjourned till the next day was put and carried.

Clause 9-A.

* Mr. T. C. SRINIVASA AYYANGAR:—"May I suggest that since the decision on Mr. Krishnayya Choudari's motion may have something to do with the other amendments, we may postpone this clause also till tomorrow? The amendments will be consequential."

* The Hon. the PRESIDENT:—"The House will now adjourn and meet again at 11 a.m. tomorrow."

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

Appendix I.

[Vide answer to question No. 222 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 1st September 1936, page 513 supra.]

(i) Coimbatore district—Served by Government Distribution System—

1 Angeripalayam.
2 Anuppapalayam.
3 Avanashi.
4 Athipalayam.
5 Bhavani.
6 Chittur.
7 Chikkadasampalayam.
8 Dasampalayam.
9 Gudalur.
10 Ganapathi.
11 Ganapathipalayam.
12 Idigarai.
13 Irugupalayam.
14 Ingur.
15 Komarapalayam.
16 Krishnarayapuram.
17 Kannampalayam.
18 Karumampalayam.
19 Kalapatti.
20 Kottur.
21 Kunniyamuthur.
22 Kurudampalayam.
23 Kanthiah Goundan Chavadi.
24 Karamadai.
25 Madathupalayam.
26 Mettupalayam.
27 Malayandipatnam.
28 Neelipalayam.
29 Nanjundapuram.
30 Nilambur.
31 Ondiputhur.
32 Oddarpalayam.
33 Podanur.
34 Peelamedu.
35 Pudur.
36 Perur.
37 Ravathur.
38 Ramanathapuram.
39 Singanallur.
40 Souripalayam.
41 Sulur.
42 Samathur.
43 Sengalipalayam.
44 Singarampalayam.
45 Tirumuruganpundi.
46 Telungupalayam.
47 Thekkampatti.
48 Uppilipalayam.
49 Uthukuli.
50 Veerakeralam.
51 Vallakinar.

(ii) Trichinopoly district—Served by the Trichinopoly-Srirangam Electric Supply Corporation—

Kannanur.
Manachanallur.
Puvalur.
Peruvalanallur.
Dharanallur.
Ponmalaipatti.

(iii) South Arcot district—Served by the South Arcot Electricity Distribution Corporation—

Nattapattu.
Kolianur.
Tirukandeswaram.
Panrutti.
Nellikuppam.
Melkumaramangalam.
Kavarapattu.

(iv) Tanjore district eastern portion—Served by the East Tanjore Electric Supply Company—

Kumaramangalam.
Vaithiswarankoil.
Elanthankudi.
Anatandavapuram.
Pamini.
Enangudi.
Adalayur.
Peralam.
Punthottam.
Manganallur.
Mudikondan.
Nannilam.
Kuttanallur.

N.B.—The lists under items (ii), (iii) and (iv) are not complete as up-to-date information is not readily available.

APPENDIX II.

[Vide answer to question No. 224 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 1st September 1936, page 515 supra.]

Schedule.

(a) 10th June 1935.	Government Order No. 1289, Press, dated 4th June 1935, received, extending the area of supply to Tenali.
(b) 9th August 1935.	The transmission route from Guntur to Tenali was surveyed and a map showing this route was submitted to the Government for approval.
(c) 13th November 1935.	This was returned approved with slight modifications—vide Ref. No. 2776-E/35-3, dated 11th September 1935.
(d) 2nd December 1935.	Construction details of the proposed high-tension lines were submitted.
(e) 8th December 1935.	Powers of telegraph authority were applied for.
(f) 7th January 1936.	Inspection by the Electrical Inspector of this H.T. route.
(g) 13th March 1936.	The powers of telegraph authority were received—vide G.O. Ms. No. 665 W., dated 11th March 1936.
(h) 15th March 1936.	The construction details were finally approved and received by us, Ref. No. 1983, dated 13th March 1936.
(i) 7th April 1936.	Placement of orders for poles, crossarms, etc., made.
(j) 10th May 1936.	Insulators were ordered. Quotations for H.T. conductors, etc., invited.

Low-tension copper and insulators are in stock. It is proposed to use the spare 100-K.W. transformer in stock at Guntur for Tenali to commence with and quotations are awaited for Pyranol type transformer for 11 K.V. (both step-up and step-down).

APPENDIX III.

[Vide answer to question No. 234 asked by Rao Sahib Pandit Ganala Ramamurti at the meeting of the Legislative Council held on the 1st September 1936, page 522 supra.]

G.O. No. 815, Law (General), dated 27th January 1933.

At the meeting of the Legislative Council held on the 1st November 1932, the following resolution was passed:—

"This Council recommends to Government that the names of the communities now recorded as Kammalans, Kamsalins and Thattans be hereafter entered in Government records as Viswa Brahmans with the suffix of 'Achariyar Avargal' or 'Acharyulu Garu' to the names of the Tamil and Telugu members respectively, and the honorific prefix of 'Brahma Sri' instead of 'M.R.Ry.' according to the prevailing custom except in cases where a desire in writing is definitely expressed otherwise."

2. As regards the use of the suffix the Government consider it unnecessary to add anything to G.O. No. 1955, Law (General), dated 19th November 1921, which directs that if any person in addressing Government or any of their officers designates himself or spells his name in a particular way he should in any communication to him be addressed

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y the same designation and spelling. In other respects, the Government accept the resolution. They direct that the communities now called Kammalans, Kamsalins and Thattans shall in future be entered in Government records as 'Viswa Brahmans' with the prefix of 'Brahma Sri' in the place of 'M.R.Ry.' except in cases where a desire in writing s definitely expressed otherwise.

(By order of the Governor in Council)

V. N. VISWANATHA RAO,
Secretary to Government.

o *the* Departments of the Secretariat (all sections).
,, all Heads of Departments (including Collectors and District Judges).
'ress.

APPENDIX IV.

Vide answer to question No. 243 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 1st September 1936, page 527 supra.]

Extract of paragraph 8 of G.O. No. 1288, Revenue, dated the 15th June 1936.

8. The Government observe that there is a complaint that the regu-ation of supply from the Mettur reservoir is rather in the interests of he Tanjore delta than other areas irrigated from the Cauvery. They rish to impress upon the Chief Engineer for Irrigation that, as the rates n the Salem and Trichinopoly districts have been enhanced as a result f the Cauvery-Mettur Project, these districts are entitled to fair consi-eration in regard to supply from the reservoir, and that every effort hould be made to supply the water required as far as possible.

APPENDIX V.

Vide answer to question No. 251 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 1st September 1936, page 534 supra.]

Statement showing the number and amount of loans sanctioned by the Special Loans Officers in the East Godavari and Chingleput districts from 1st November 1935 to 31st July 1936.

District.	Number of cases accepted.	Amount of loan sanctioned.	Amount disbursed up to 31st July 1936.	Percentage of the amounts in columns (3) and (4) to the * amount of debt legally due.
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	
Chingleput	254	1,23,337	98,340	76 per cent.
East Godavari	271	95,590	91,200	84 ,,

* The exact amounts of debts legally due in the cases accepted by the Special Loans Officers are no

APPENDIX VI.

[Vide answer to question No. 252 asked by Mr. V. T. Arasu at the meeting of the Legislative Council held on the 1st September 1936, page 534 supra.]

Statement showing the amount of loans disbursed up to 15th August 1936 for the relief of indebtedness under the Agriculturists' Loans Act as recently amended.

		RS.
1	Chingleput	1,01,550
2	East Godavari	1,04,110
3	Salem	5,320
4	South Kanara	160
5	Trichinopoly	580
6	Kurnool	2,860
7	Kistna	20,980
	Total ..	2,35,560

APPENDIX VII.

[Vide answer to question No. 253 asked by Mr. V. T. Arasu at the meeting of the Legislative Council held on the 1st September 1936, page 535 supra.]

Statement showing the work done under the Agriculturists' Loans Act (as recently amended) by the Special Loans Officer, Chingleput, from 1st November 1935 to 15th August 1936.

District—Chingleput.
Number of applications received—962.
Number rejected at preliminary enquiry—442.
Enquiry under Rule VI completed—490.
Amount of debt legally due—Rs. 3,01,016.
Amount as scaled down—Rs. 2,27,247-14-0.
Percentage of scaled down amount—24.
Number of cases in which local enquiry completed—473.
Disposal—

Accepted.	Amount.	Rejected.	Amount.
	RS.		RS.
261	1,27,027	211	92,931

Amount disbursed—Rs. 1,01,550.

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Appendix VIII.

[Vide answer to question No. 256 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 1st September 1936, page 536 supra.]

Statement showing the recommendations of the Retrenchment Committee which have not been accepted.

	Ultimate increase. RS.	Reasons for rejection.
A. Revenue Heads.		
VI. Excise.		
1 Grant of licences for foreign liquor shops by a system of calling for tenders instead of charging fixed fees. 2 An examination into the distillery selling prices of arrack with reference to the fall in the cost of manufacture and into possibility of increasing duty.	1,00,000	Not workable.
VII. Stamps.		
1 Imposition of one anna stamp duty on cheques.	90,000	Not desirable.
2 Appointment of a special stamps inspectorate with a view to detecting deficiencies in stamp revenue (both judicial and non-judicial).	1,50,000	A small establishment has been appointed in the High Court to detect deficiencies in court-fee stamp revenue.
XVII. Administration of Justice.		
1 Levy of a fee of four annas on every affidavit or affirmation filed in Court excluding the Original Side of the High Court.	Not known.	Not desirable.
2 Levy of a fee of eight annas on applications for new trials and on vakalats filed in the Small Cause Court.	15,500	Do.
3 Making the Official Assignee a whole-time Government servant on fixed pay.	10,000	Not considered necessary in view of the very slight resulting financial advantage.
XXI. Education.		
Levy of registration fee in Government Colleges.	* 3,000	Not desirable.
XXII. Medical.		
1 Levy of half fees for women students ..	2,500	Not desirable in the public interests.
2 X-Ray work—Raising the Government share of fees to 40 per cent.	† 1,000	Not desirable.
XXIV. Agriculture—Veterinary.		
Levy of a small fee (say four annas) for each inoculation whenever possible.	2,500	Not desirable in the public interests.
XXX. Civil Works.		
1 Withdrawal of the concession of rent-free quarters and free supply of electric energy for the Government House staff.	26,900	Not desirable.
2 Withdrawal of the concession of rent-free quarters from the personnel of the Saluting Battery at Ootacamund.	100	Do.
3 Revision of rentals for Government residences.	Not known.	Do.

* Additional revenue overestimated by the Committee.
† Reduction in estimated additional revenue.

A. *Revenue Heads*—cont.

XXXV. Miscellaneous.

	Ultimate increase. RS.	Reasons for rejection.
1 Increase in the scale of fines under the Cattle Trespass Act by 100 per cent (an increase of only 50 per cent was accepted).	1,56,000	Not desirable.
2 Levy of audit fees for accounts audited by the Examiner of Local Fund Accounts (not accepted in respect of certain institutions) and withdrawal of the concession of rent-free quarters to Revenue subordinates.	35,900	Do.
Total ..	5,93,400	

B. *Expenditure Heads.*

	Ultimate savings. RS.	Reasons for rejection.
5. Land Revenue.		
Eventual abolition of one more survey party by further postponing the resettlement of Salem and South Kanara.	69,400	Not possible.
Total '5' ..	69,400	
6. Excise.		
1 Abolition of one Deputy Commissioner and establishments—One Territorial Assistant Commissioner.	49,100	Weakening of the supervising staff will lead to decline in revenue.
2 Reduction of the post of Secretary to the Commissioner of Excise from the rank of Assistant Commissioner to that of a Senior Inspector.	2,700	Not desirable in the public interests.
Total '6' ..	51,800	
8. Forests.		
1 Abolition of the post of Forest Assistant to the Chenchu officer.	3,000	Not desirable in the public interests.
2 Abolition of one Conservator's post and the consequent reduction in establishment.	30,000	Do.
3 Working Plans Circle—Eventual reduction of staff to 5 officers, 10 rangers and 25 foresters as against the present strength of 10 officers, 18 rangers and 52 foresters.	75,000	Not possible at present.
4 Keeping in abeyance two posts of rangers ..	2,000	Not desirable in public interest.
5 Restricting the number of divisions to 29 as against the proposed 31 in the recent reorganization.	20,000	Do.
6 Reduction of supernumerary officers ..	Not known.	Do.
Total '8' ..	1,30,000	
9. Registration.		
1 Reduction in the number of Sub-Registrars from 77 to 55 (only three posts were abolished).	8,800	Not desirable in public interests.
2 Reduction of Sub-Registrars' offices is necessary.	Not known.	Do.
Total '9' ..	8,800	

	Ultimate savings.	Reasons for rejection.
	RS.	

B. Expenditure Heads—cont.

22. GENERAL ADMINISTRATION.

1 Reduction in the strength of the cabinet by one.	75,000	Unnecessary at present.
2 Move of Government to the hills—To be limited to one stay of four months.	20,000	Not desirable in public interests.
3 Abolition of six posts of personal clerks to Hon'ble Members.	7,400	Not desirable.
LEGISLATIVE COUNCIL.		
4 Reduction of the salary of the Deputy President, Legislative Council, to a nominal sum.	5,000	Not desirable.
CIVIL SECRETARIAT.		
5 Abolition of one post of Superintendent in Public Works and Labour, Local Self-Government and Finance Departments and appointment of upper division clerks in their place.	5,600	Not desirable in public interests.
6 Abolition of the communal returns and one upper division clerk in the Chief Secretariat.	800	Do.
7 Abolition of one post of Superintendent in the Law Department and appointment of an upper division clerk instead.	1.000	Do.
8 Reduction in the pay of future incumbents of the Madras Services Commission and lowering the limit of expenditure provided under section 7 of the Act from Rs. 75,000 to Rs. 70,000.	29,000	Do.
DISTRICT ADMINISTRATION.		
9 Abolition of Musiri division in Trichinopoly and the sub-taluks of Narasannapeta, Mangalagiri, Virudunagar and Hosdrug.	26,000	Not desirable in the public interests.
10 Amalgamation of the Nilgiris with Coimbatore district.	40,000	Time not opportune for the amalgamation.
11 Abolition of the Cochin and Coonoor divisions.	18,000	Not desirable in the public interests.
12 Reduction of the special pay of Rs. 100 to Rs. 75 to the Port Officer, Mangalore (a permanent reduction of 10 per cent was accepted).	200	
13 Amalgamation of West Godavari and Kistna districts into one and reduction in the number of subdivisions in the two districts by one.	40,000	
14 Abolition of the Anantapur district and the reconstitution of the four districts of South Arcot, North Arcot, Chittoor and Cuddapah into three.	40,000	
15 Abolition of the Dhone division by transferring Pattikonda taluk to Bellary.	8,000	
16 Abolition of three sub-taluks, viz., Tirur in Malabar and Tranquebar and Valangiman in Tanjore.	11,300	
17 Laccadives and Amindivi establishments—Revision of the rates of exchange of rice and coir.	Not known.	Not necessary.
18 Abolition of the Kovvur and Nuzvid divisions.	18,400	Not desirable in the public interests.
Total '22' ..	3,45,700	

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	Ultimate savings. RS.	Reasons for rejection.
B. Expenditure Heads—cont.		
24. ADMINISTRATION OF JUSTICE.		
1 Abolition of the District Munsif's Court, Madura.	10,800	Not desirable in th public interests.
2 Abolition of the Sub-Court at Chittoor and the retention of the Sub-Court at Vellore.	15,000	
3 Abolition of the Sub-Magistrates' Courts at Coondapoor and Karkal in South Kanara district.	4,500	
4 Increasing the number of panchayat courts and the grant of exclusive jurisdiction to them up to Rs. 25.	Not known.	
5 Reduction of the cost of City Civil Court and Presidency Small Cause Court.	Do.	
6 Reduction of the present period of vacation in all Courts including the High Court by a fortnight.	Do.	Neither necessary no desirable.
7 Reduction in the number of copies of judgment and calendars that are now being submitted to District Magistrates.	Not known.	Not desirable in th public interests.
8 Reduction in the number of stipendiary Magistrates.	7,000	
Total '24' ..	37,300	
26. POLICE.		
1 Amalgamation of the Nilgiris with Malabar or Coimbatore.	17,000	Not practicable.
2 Replacement of the District Superintendent of Police, Koraput, by an Assistant Superintendent of Police.	3,900	
3 Replacement of both of the Railway District Superintendents of Police by Assistant Superintendents.	7,800	
4 Amalgamation of the Kistna and West Godavari Police districts.	17,000	
5 Ten per cent reduction in the number of Assistant and Deputy Superintendents of Police.	56,000	
6 Substitution of two head constables, constables for two sergeants in the traffic staff in the City.	3,000	
Total '26' ..	1,04,700	
31. EDUCATION.		
Reduction in the rates of boarding grants for European Secondary schools.	25,400	Not desirable. Items 2 and 4 are now under reconsideration.
Abolition of the Government Arts College, Rajahmundry, and the College department of the Brennen College, Tellicherry.	28,400	
Abolition of the Sanskrit department in the Presidency College, Madras (one post of Professor of Madras Educational Service was converted into Subordinate Educational Service).	3,500	
Reduction of 10 per cent of the provision for District Educational Council establishment.	5,600	
Amalgamation of the charges of the District Educational Officers, Bellary and Kurnool.	13,400	
Total '31' ..	76,300	

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	Ultimate savings. RS.	Reasons for rejection.
B. Expenditure Heads—cont.		
32. MEDICAL.		
Abolition of the posts of Lecturer and Assistant Lecturer in Chemistry in the Rayapuram Medical School.	4,100	Not desirable in the public interests.
Abolition of the post of Assistant Professor of Bio-Chemistry in the Vizagapatam Medical College.	5,000	
Appointment of a cheaper agency by training a local man to take the place of the Chemical Examiner.	Not known.	
Possibilities of further retrenchment in the expenditure of the Indian Medical School and hospital.	Do.	
Total "32" ..	9,100	
33. PUBLIC HEALTH.		
Abolition of two posts of Assistant Director of Public Health.	23,000	Not desirable in the public interests.
Abolition of the posts of six Assistant District Health Officers.	16,000	
Provincialization of the staff of Agency vaccinators in return for the transfer of education to the Agency local board.	12,000	
Abolition of the posts of Rural Sanitation Officer and the Propaganda Officer, and reduction in the allotment for expenses connected with health propaganda by 50 per cent.	35,000	
Substitution of quinine febrifuge for quinine.	Not known.	
Reduction in the present staff of the Director of Town-Planning consequent on the amalgamation of the post of Director of Town-Planning with that of Consulting Architect to Government.	1,000	
Appointment of a cheaper agency by training a local man to take the place of the Public Analyst.	Not known.	
Total "33" ..	87,000	
34. AGRICULTURE.		
(a) *Agriculture.*		
Abolition of the post of Statistical Assistant.	9,000	Not desirable in the public interests.
Abolition of the post of Headquarters Deputy Director (the post of Personal Assistant to the Director of Agriculture was only abolished).	9,200	
Abolition of the post of Assistant Chemist ..	6,600	
Abolition of the post of Personal Assistant to the Principal, Agricultural College (the Personal Assistant was replaced by an Accountant).	2,200	
Reduction in the number of Deputy Directors by four with corresponding reductions in establishment (two posts of District Agricultural Officers only were abolished).	44,600	
Replacement of two or three gazetted assistants to Research Officers by upper subordinates (only one post of Superintendent in the Madras Agricultural Service was abolished).	7,800	
Total "34" (a) ..	79,400	

	Ultimate savings.	Reasons for rejection.
	RS.	

B. Expenditure Heads—cont.

c. Co-operative Credit.

1 Abolition of the post of Joint Registrar of Co-operative Societies.	18,600	Not desirable in the public interest.
2 Employment of routine in place of Inspector-clerks.	16,600	
3 Modification of the recommendation about the revision of pay of Sub-Deputy Registrars with regard to four Sub-Deputy Registrars in independent charge.	1,200	
Total " 34. c." ..	36,400	

35. INDUSTRIES.

a. Cinchona.

Direct purchase of quinine by all Government and Local Fund hospitals in the Presidency from the factory instead of through the Government of India Medical Stores Depot, Madras.	Not known.	Not considered necessary as no appreciable economy would be effected.

b. Industries.

1 Abolition of the Deputy Director's post ..	14,000	Not desirable in the public interests.
2 Leather Trades Institute—Reduction of the supervision staff and recovery of cost in the form of contribution from trade or by levy of cess on hides.	40,000	
Total " 35. b." ..	54,000	

f. Fisheries.

1 Reduction of 20 per cent in the amount of compensation paid to local bodies for inland fisheries.	12,000	Not desirable in the public interests.
2 Adjustment of the price of salt so as to balance revenue expenditure.	85,000	
Total " 35. f." ..	97,000	

37. MISCELLANEOUS DEPARTMENTS.

1 Transfer of labour functions of the Commissioner of Labour to other officers. 2 Transfer of Criminal Tribes Settlements either to the Inspector-General of Prisons or to Collectors.	2,400	Not desirable in the public interest.
3 Vital Statistics—Abolition of 25 clerks employed in Collectors' Offices.	15,000	
4 Transfer of the work of editing Gazetteers and Statistical Memoirs from the Board to Madras Record office and abolition of the post of Personal Assistant (abolition of Personal Assistant not accepted).	4,800	
Total "37" ..	22,200	

41. CIVIL WORKS.

Further reduction under establishments ..	1,02,000	No further action was considered necessary.

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	Ultimate savings. RS.	Reasons for rejection.

B. Expenditure Heads—cont.

46. STATIONERY AND PRINTING.

	Ultimate savings. RS.	Reasons for rejection.
1 Publication of District Gazettes and supplements for a group of districts instead of one for each district and other recommendations partially rejected.	1,60,000	Not practicable.
2 Imposing greater responsibility for control of expenditure on printing and stationery.	7,000	
Total "46" ..	1,67,000	

COMMON TO ALL DEPARTMENTS.

	Ultimate savings. RS.	Reasons for rejection.
Reduction or abolition of—		Not desirable.
(a) Special pays	5,500	
(b) Compensatory allowances	36,000	
Total—Common to all departments ..	41,500	

APPENDIX IX.

[*Vide* answer to question No. 259 asked by Mr. V. T. Arasu at the meeting of the Legislative Council held on the 1st September 1936, page 540 supra.]

MADRAS LEGISLATIVE ASSEMBLY.

General Constituency.

Name of constituency. (1)	Number of voters estimated. (2)	Number of voters enrolled in the preliminary rolls. (3)
Urban—		
Madras City—North	20,529	10 294
Madras City—North-Central	20,170	12,527
Madras City—South-Central	20,595	15,544
Madras City—South	22,608	18,184
Vizagapatam	9,442	8,727
Cocanada Town	10,085	9,755
Bezwada *cum* Masulipatam Towns	22,287	19,512
Guntur *cum* Tenali Towns	19,493	16,701
Tanjore *cum* Kumbakonam Towns	17,980	19,555
Trichinopoly *cum* Srirangam Towns	30,820	22,739
Madura Town	27,894	26,594
Tinnevelly *cum* Palamcottah Towns	14,589	20,445
Coimbatore Town	15,593	14,527
Salem Town	23,252	13,886
Rural—		
Tekkali	27,806	51,898
Chicacole	60,755	56,429
Bobbili	29,281	44,911
Palkonda	31,112	32,172
Vizianagram	48,590	53,584
Sarvasiddhi	31,570	42,866
Viravalli	8,323	18,573
Vizagapatam	22,616	22,942
Rajahmundry	88,951	88,383
Amalapuram	60,665	68,792
Cocanada	56,620	60,894
Ellore	57,950	52,848

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General Constituency—cont.

Name of constituency. (1)	Number of voters estimated. (2)	Number of voters enrolled in the preliminary rolls. (3)
Rural—*cont.*		
Bhimavaram	44,260	54,932
Narsapur	65,658	63,938
Bandar	92,925	91,129
Bezwada	96,174	82,250
Guntur	44,931	40,950
Narasaraopet	54,089	53,078
Tenali	60,196	53,351
Ongole	77,642	74,498
Gudur	35,113	40,217
Nellore	32,914	31,784
Kavali	41,828	34,570
Kandukur	42,310	46,617
Rajampet	46,167	39,428
Cuddapah	81,457	77,439
Penukonda	53,315	46,624
Gooty	34,035	33,825
Anantapur	33,086	34,056
Bellary	92,515	75,797
Hospet	52,640	58,771
Kurnool	48,963	48,968
Nandyal	52,724	47,004
Chandragiri	39,122	41,569
Tiruttani	62,592	59,033
Madanapalle	49,751	53,741
Chittoor	57,096	52,420
Conjeeveram	40,778	43,012
Chingleput	61,293	65,405
Saidapet	51,128	56,628
Tiruvallur	71,232	76,632
Tiruppatur (North Arcot)	21,023	20,751
Gudiyattam	15,486	29,275
Vellore	44,014	47,212
Ranipet	65,536	58,551
Cheyyar	61,586	67,082
Tiruvannamalai	83,712	81,755
Tindivanam	68,204	71,419
Villupuram	44,539	53,022
Chidambaram	84,558	89,655
Cuddalore	55,688	53,309
Tirukkoyilur	111,065	98,824
Tanjore	73,058	92,337
Kumbakonam	25,212	37,846
Mayavaram	24,470	49,946
Mannargudi	45,336	56,828
Negapatam	46,862	57,550
Trichinopoly	66,658	62,188
Musiri	73,216	71,218
Ariyalur	106,560	101,972
Dindigul	23,836	30,603
Palni	57,776	58,158
Periyakulam	47,100	48,495
Tirumangalam	41,705	43,519
Melur	31,612	39,652
Srivilliputtur	29,406	35,745
Sattur	61,494	65,458
Ramnad	41,405	35,848
Tirupattur (Ramnad)	53,061	43,249
Sivaganga	42,565	57,647
Tuticorin	63,276	65,668
Koilpatti	90,936	69,040
Shermadevi	57,571	50,581
[illegible]	[illegible]	[illegible]

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Name of constituency. (1)	Number of voters estimated. (2)	Number of voters enrolled in the preliminary rolls. (3)
Rural—*cont.*		
Pollachi	33,243	34,254
Palladam	29,794	35,699
Erode	19,757	24,126
Dharapuram	26,606	17,695
Gobichettipalaiyam	51,411	47,276
Coimbatore	24,147	39,230
The Nilgiris	13,357	12,224
Hosur	41,684	37,526
Dharmapuri	48,190	46,726
Tiruchengodu	39,496	40,228
Omalur	22,589	30,491
Namakkal	56,240	42,245
Salem	55,669	47,298
Coondapoor	34,406	39,964
Puttur	32,285	34,488
Mangalore	25,077	23,648
Chirakkal	41,313	49,712
Kottayam	32,566	35,420
Malappuram	46,051	53,739
Calicut	33,407	38,274
Kurumbranad	26,807	30,290
Palghat	57,958	41,853
Ponnani	50,814	35,244

APPENDIX X.

[Vide answer to question No. 260 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 1st September 1936, page 540 supra.]

Statement I.

Enrolment in Preliminary Electoral Rolls.

District. (1)	Hindus other than scheduled castes. (2)	Percentage to population. (3)	Scheduled castes. (4)	Percentage to population. (5)	Muhammadans. (6)	Percentage to population. (7)	Indian Christians. (8)	Percentage to population. (9)	Women enrolled. (10)	Proportion of women to men. (11)
Vizagapatam	316,532	10·5	13,731	3·9	2,029	7·8	885	7·5	83,950	1 : 8
East Godavari	179,894	12·2	42,930	11·1	3,208	10·8	2,566	8·9	53,727	1 : 3·8
West Godavari	150,561	17·0	21,157	8·4	3,139	12·3	11,304	18·1	43,613	1 : 3·3
Kistna	171,530	19 4	20,744	10·2	7,070	12·2	9,469	0·4	61,084	1 : 2·4
Guntur	219,007	14·8	20,263	12·4	14,946	9·5	21,236	8·9	58,777	1 : 3·7
Nellore	132,795	12·6	20,393	7·8	7,987	7·7	2,602	8·9	42,804	1 : 2·8
Cuddapah	109,349	16·2	7,518	6·7	13,015	10·5	3,101	8·5	26,307	1 : 3·7
Anantapur	100,991	12 6	13,089	9·3	8,623	8·7	587	9·8	24,776	1 : 4·0
Bellary	120,820	16·1	13,415	12·3	12,011	11·6	771	11·6	35,990	1 : 3·1
Kurnool	85,526	12·8	10,896	9·3	12,968	8·9	5,849	7·9	24,937	1 : 3·6
Chingleput	178,[illegible]66	16·1	63,111	13·5	4,761	12·9	4,487	12 1	67,174	1 : 2·7
Chittoor	178,387	16·1	29,059	11·9	8,508	10·6	799	7·7	48,658	1 : 3·5
North Arcot	254,194	15·1	50,432	12·4	18,623	13·7	8,514	8·4	75,212	1 : 3·3
South Arcot	284,263	17·1	80,443	12·4	12,662	16·7	7,892	11·0	99,324	1 : 2·9
Tanjore	251,410	15·5	62,818	12·0	23,863	16·4	7,903	8·7	87,519	1 : 3·0
Trichinopoly	223,621	15·9	34,699	10·5	12,466	17·2	13,368	13·2	68,391	1 : 3·2
Madura	226,901	13·5	21,077	6·4	15,196	18·8	8,468	10·3	71,467	1 : 2·8
Ramnad	2[illegible]4,488	15·1	33,459	12·5	15,434	13·9	10,281	10·5	72,829	1 : 2·6
Tinnevelly	217,280	15·9	40,5[illegible]5	12·3	23,301	19·4	44,571	19·7	76,036	1 : 3·8
Coimbatore	201,545	10·1	29,800	8·5	8,135	14·4	4,329	9·6	63,844	1 : 2·8
The Nilgiris	10,922	10·8	1,302	4·8	1,096	10·0	1,278	5·9	1,595	1 : 8·2
Salem	233,045	11·5	25,355	7·8	6,996	10·3	2,030	9·0	62,728	1 : 3·3
South Kanara	78,303	8·5	5,627	8·8	18,816	10·2	16,103	13·2	26,764	1 : 3·4
Malabar	253,715	13·0	24,069	6·7	136,526	11·7	12,218	19·3	104,274	1 : 3·1
Madras	51,391	11·8	5,148	6·0	10,703	15·8	3,514	8·8	23,369	1 : 2·0
Total for the Presidency	4,435,036	13·8	601,440	10·0	401,588	12·2	198,865	11·7	1,407,140	1 : 3·1

Statement II.

Figures of enrolment in Preliminary Rolls on application.

Literacy.

District.	General constituency.	Muhammadan constituency.	Indian Christian constituency.	Total.
(1)	(2)	(3)	(4)	(5)
Vizagapatam	22,929	420	487	23,836
East Godavari	27,068	1,109	1,429	29,606
West Godavari	21,399	901	3,481	25,781
Kistna	16,629	1,702	2,868	21,199
Guntur	34,862	3,232	8,854	46,948
Nellore	8,929	1,179	507	10,615
Cuddapah	3,479	1,391	306	5,176
Anantapur	6,549	1,666	211	8,426
Bellary	4,139	595	85	4,819
Kurnool	3,708	1,204	1,539	6,451
Chingleput	10,068	700	451	11,219
Chittoor	11,234	1,113	353	12,700
North Arcot	9,908	4,097	237	14,242
South Arcot	7,112	2,459	225	9,796
Tanjore	20,572	6,450	684	27,706
Trichinopoly	11,773	3,341	1,235	16,349
Madura	16,576	3,111	1,186	20,873
Ramnad	17,354	3,034	1,075	21,463
Tinnevelly	25,496	3,887	18,148	47,531
Coimbatore	15,507	2,897	1,473	19,877
The Nilgiris	2,927	535	407	3,869
Salem	12,577	1,302	201	14,080
South Kanara	24,789	5,376	8,468	38,633
Malabar	92,562	24,658	7,909	125,129
Madras	22,423	7,292	1,531	31,246
Total ..	450,569	83,651	63,350	597,570

APPENDIX XI.

[Vide answer to question No. 263 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 1st September 1936, page 543 supra.]

Circular Memorandum of the Inspector-General of Police, Madras, R.C. No. 307-1-P.R./36, dated 1st June 1936.

[Bus service—Allegations against police—Payment of mamools.]

The following extract from the orders of the Inspector-General is communicated to all District Superintendents of Police, Deputy Inspectors-General of Police and the Commissioner of Police, Madras, for information and guidance:—

> " Meantime all bus-owners will be warned that their G permits will be liable to cancellation if they make any kind of payments to the police and the subordinate police will be warned that police officers found guilty of receiving mamools from the bus-owners or their servants will be dismissed from the force."

APPENDIX XII.

[Vide answer to question No. 267 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 1st September 1936, page 547 supra.]

G.O. No. 4590, L. & M., dated 7th November 1935.

The Government have examined the question of the desirability of members of district boards visiting elementary schools under the control of these boards. They consider that such visits by members of the district boards and by the members of the standing committee for education in particular should be encouraged. The visits should, however, be confined to seeing that teachers and children are attending schools regularly. The members may enter their observations, if any, in the visitors books maintained for the purpose and any suggestions they may wish to make for the improvement of the school should be made to the president of the district board and not to the teachers of the school. Only women members should visit Muslim girls' schools or other schools which are restricted to girls. No expenditure should be incurred from the board's funds on account of travelling allowance of members for visiting schools.

2. In paragraph 2 of G.O. No. 581, L. & M., dated 13th February 1935, the Government directed that four members of the standing committee shall be elected by the members of the district board from among themselves and two from among persons who are not such members. The Government consider that the district board would be well-advised to see that one of the four members elected from among themselves and one of the two others elected from among persons who are not such members are women, if suitable women are available.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards.
,, all Collectors.
,, the Law (Education) Department.
,, the Director of Public Instruction.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Revenue Department.

APPENDIX XIII.

[Vide answer to question No. 291 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 1st September 1936, page 563 supra.]

Secondary School-Leaving Certificate Re-examination, April 1936.

Serial number and name of centres.	Number of candidates (pupil and private) examined.
1 Guntur—Boys' centre	679
2 Guntur—*Girls'* centre	24
3 Bapatla	323
4 Kurnool	286
5 Bellary—Boys' centre	250
6 Bellary—Girls' centre	8
7 Anantapur—Boys' centre	205
8 Anantapur—Girls' centre	3
9 Cuddapah	213

APPENDIX XIV.

Vide answer to question No. 295 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 1st September 1936, page 565 supra.]

Statement showing the amount of rewards granted from 1929–30.

Year.	Amount provided in the Civil Budget Estimates.	Amount of rewards actually granted to Excise officials and subordinates.	Amount of rewards actually granted to others.	Total amount of rewards actually granted [column (3) *plus* (4)].
(1)	(2)	(3)	(4)	(5)
	RS.	RS.	RS.	RS.
929–30	59,600	34,191	24,878	59,069
930–31	65,100	35,700	21,731	57,520
931–32	60,300	21,788	19,207	40,995
932–33	32,100	9,986	15,907	25,893
933–34	29,900	12,101	17,816	29,917
934–35	29,300	10,862	18,574	29,436
935–36	44,500	15,587	21,382	36,909 *
936–37	55,800	..	..	..

* March final figures not yet available.

1st September 1936]

Appendix XV.

[Vide answer to question No. 300-B asked by Mr. A. Pl. N. V. Nadimuthu Pillai at the meeting of the Legislative Council held on the 1st September 1936, page 570 supra.]

Statement of voters—Tanjore district.

Name of constituency.	Provincial Assembly under the new constitution.			Legislative Council under the existing constitution.	
	Number of voters according to Parliamentary expectation.	Number of voters according to preliminary roll.	Percentage of voters to population.	Name of constituency.	Number of voters (final rolls).
(1) General constituencies—Urban—				Non-Muhammadan constituency—	
Tanjore cum Kumbakonam towns ..	17,059	19,555		(Rural)	73,907
Rural—				Muhammadan constituency—	
Tanjore	83,161	92,337		(Rural)	6,361
Kumbakonam ..	53,973	37,846	14·6	Indian Christian constituency (including also Trichinopoly and	
Mayavaram	54,264	49,940			
Mannargudi	56,229	56,828			
Negapatam	57,510	57,550		Madura districts) ..	5,999
(2) Muhammadan constituency	21,543	23,971	16·5		
(3) Indian Christian constituency (including also Madura and Ramnad districts)	40,693	26,834	9·8		

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 2nd September 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. Ramachandra Reddi) in the Chair.

PRESENT:

Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, K.C.I.E., The Hon. the.
Rajan, The Hon. Mr. P. T.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani Sahib Bahadur, S. M. K.
Dalavoi, Mr. R.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Foulkes, Mr. G. F. F.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Halasyam Ayyar, Mr. N.
Hood, C.I.E., I.C.S., Mr. H. M.
Indrayya, Mr. C.
Iswaran Pillai, Mr. I. C.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muniswami Pillai, Rao Sahib V. I.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa, Rao Bahadur Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Diwan Bahadur C.
Nayagam, Mr. C. D.
Palat, Mr. R. M.
Patnaik Mahasayo, Sriman M. G.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalinga Reddi, Mr. C.
Ramamurti, Rao Sahib Pandit Ganala
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.
Schamnad Sahib Bahadur, Khan Bahadur Mahmud.
Scott Brown, I.C.S., Mr. W.
Shaiku Mohamad Laljan Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Sivasubrahmanya Ayyar, Mr. K. S.
Smith, Mr. J. M.
Soundarapandian, Mr. W. P. A.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Stanes, Mr. F. J.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thangal, Mr. P. M.
Uzielli, C.I.E., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr. V. G.
Venugopal Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.
Zamindar of Tekkali, The Senior.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Admission of candidates into the Agricultural College, Coimbatore.

* 306 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the number of students who have sought admission into the Agricultural College;

(*b*) the number from each area;

(*c*) the number admitted;

(*d*) whether the Government insist that selection should be districtwar; and

(*e*) if so, what the districts are from which persons were selected?

A.—(*a*) The number of students who applied for admission to the College in June 1936 is 156.

(*b*)

Telugu area	59
Tamil area	63
Malayalam	21
Kanarese	10
Mysore	2
Bengal	1
	156

(*c*) 42.

(*d*) *An endeavour is made to ensure that, as far as possible,* all parts of the Presidency are fairly represented.

(*e*)—

Districts.	Number selected and admitted.
Telugu area.	
Vizagapatam	2
East Godavari	4
West Godavari	2
Kistna	2
Guntur	1
Bellary .. .. .. — ..	1
Cuddapah	1
Kurnool	2
Anantapur	1
Nellore	1
Chittoor	2
Total ..	19

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Districts.	Number selected and admitted.
Tamil area.	
North Arcot	1
Tanjore	2
Coimbatore	3
The Nilgiris	1
Trichinopoly	2
Madura	3
Ramnad	1
Tinnevelly	3
Total ..	16
Malayalam and Kanarese area.	
Malabar	2
South Kanara	2
Coorg	2
Total ..	6
Mysore	1

Mr. C. INDRAYYA :—" May I know to what communities the candidates selected belong? "

The Hon. Mr. P. T. RAJAN :—" I am afraid I cannot give that information now."

Co-operation

Nominations to the directorate of the land mortgage banks.

* 307 *Q.*—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that nominations to the directorate of land mortgage banks are made as a rule in all cases;

(*b*) *if the answer to (a) be in the affirmative, why they have not* been made in some cases;

(*c*) whether the Government exercise the power of nominations only in special circumstances; and

(*d*) if so, what they are?

A.—(*a*), (*c*) & (*d*) Nominations are not made by the Government in any case. The President of the Central Land Mortgage Bank and the Registrar of Co-operative Societies make such nominations.

(*b*) Government have no information but have called for a report.

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Proposal to raise the maximum limit of lending by land mortgage banks in individual cases.

* 308 *Q.*—Mr. K. S. Sivasubrahmanya Ayyar: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government propose to increase the power of the land mortgage banks to lend to a maximum of Rs. 10,000 in all cases from the present limit of Rs. 5,000;

(*b*) if not, under what conditions banks are invested with such powers;

(*c*) whether any rules have been prescribed for the same; and

(*d*) if so, what they are?

A.—(*a*) No.

(*b*) The Registrar of Co-operative Societies has been authorized to permit primary land mortgage banks in select areas to enhance the maximum amount to Rs. 10,000. Such loans should ordinarily be granted only if the banks concerned hold at the time of sanctioning the loan a sufficiently large amount of liquid assets to meet the immediate or anticipated requirements from small borrowers.

(*c*) No.

(*d*) Does not arise.

Imposition of life insurance by Land Mortgage Banks as a condition for the grant of loans exceeding Rs. 5,000.

* 309 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that persons who are desirous of taking a loan of more than Rs. 5,000 from the Co-operative Land Mortgage Banks are insisted on taking up life insurance policy for a like amount;

(*b*) if so, what the principles underlying it are; and whether a copy of the order or circular issued by the Government or by the departmental heads or by the Central Land Mortgage Bank in this behalf will be placed on the table;

(*c*) whether the primary banks have been consulted in the matter of introducing such a condition; if not, why not;

(*d*) whether it is a fact that such a condition works hardship in many a deserving case, and whether any representations have been received from the Land Mortgage Bank at Pollachi, or elsewhere explaining the difficulties experienced by such a condition; and

(*e*) in what way the said representations have been disposed of; and whether a copy of the order passed in the matter will be placed on the table?

A.—(*a*) The Government understand that applicants for loans of over Rs. 5,000 are required to take out a life insurance policy, though not for a like amount.

(*b*) Greater risk is involved in bigger loans and should, it was considered by the Registrar of Co-operative Societies, be covered by an additional security. A copy [a] of the Registrar's circular is appended.

(*c*) No.

(*d*) & (*e*) No specific case of hardship has come to the notice of the Registrar. It is reported that none of the applications for loans above Rs. 5,000 have been rejected merely on this ground. Representations were received by the Registrar from the Pollachi and the Kulittalai banks. In the former case he declined to relax the general rule. The representation of the latter bank is under his consideration.

Mr. K. A. NACHIYAPPA GOUNDER :—" With reference to answer to clause (*a*), may I know what is the amount that has been stipulated with regard to life insurance? "

The Hon. Mr. P. T. RAJAN :—" No amount has been specified; people asking for a loan of more than Rs. 5,000 are asked to take a life insurance policy."

Mr. K. A. NACHIYAPPA GOUNDER :—" With reference to answer to clause (*c*), may I ask why the primary banks were not consulted in such an important matter? "

The Hon. Mr. P. T. RAJAN :—" I must ask the Registrar."

Representations from Tenkasi for the establishment of a Land Mortgage Bank.

* 310 *Q.*—Mr. A. M. AHMED MEERAN : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government are aware that the people of Tenkasi have submitted a mahazar petition to the Registrar of Co-operative Societies for the establishment of a Land Mortgage Bank in Tenkasi; and

(*b*) if so, what action has been taken by the Registrar in the matter?

A.—(*a*) The Government have no information.

(*b*) Does not arise.

Fisheries

Admission of students into the Fisheries Training Institute, Calicut.

* 311 *Q.*—Mr. A. B. SHETTY : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the number of teacher pupils admitted into the Fisheries Training Institute, Calicut, during the last five years;

[a] Printed as Appendix I on page 716 infra.

(*b*) the number so trained who have been employed in the Fisheries schools;

(*c*) the number who still remain unemployed;

(*d*) the cost to Government in maintaining the training institute;

(*e*) whether at any time the question of abolition of the institute was considered;

(*f*) whether the Director of Public Instruction was at any time consulted regarding its retention or abolition and whether it is serving any useful purpose;

(*g*) what the medium of instruction in the institute is;

(*h*) whether the Government have recently changed the principles of selection in regard to admission of candidates for training;

(*i*) whether pupils from the Tamil-speaking area have been admitted for training and, if so, what arrangements have been made for their instruction;

(*j*) whether others besides teachers belonging to fishermen community were trained or are being trained in the institute;

(*k*) whether in admitting pupils the question of their employment after training and the likely vacancies are taken into account;

(*l*) if the answer to clause (*k*) is in the negative, on what basis the number admitted each year is settled; and

(*m*) the number of Fisheries schools on the West and the East Coasts and the teachers employed therein?

A.—(*a*) Sixty-four; five of these were sent for training to Calicut by the Roman Catholic Diocesan Schools on the Tuticorin Coast.

(*b*) Thirty-four.

(*c*) So far as is known, all trained teachers have found employment though not in the Fisheries departmental schools.

(*d*) The cost in 1935–36 was Rs. 11,465.

(*e*) Yes.

(*f*) Yes.

(*g*) The medium of instruction is the language of pupils admitted, e.g., Malayalam, Kanarese, Tamil, etc., supplemented by English.

(*h*) No.

(*i*) Yes. A Tamil interpreter has been appointed.

(*j*) Yes.

(*k*) Yes.

(*l*) Does not arise.

(*m*) The number of schools under the control of the Fisheries department on the West Coast is 37 and the number of teachers employed therein is 146. There are no such schools run by the Fisheries department on the East Coast.

Mr. A. B. Shetty:—"May I ask how many can be admitted to the training institute at a time?"

The Hon. Mr. P. T. Rajan:— "Notice."

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Mr. A. B. SHETTY:—" In view of the fact that only 34 teacher-pupils have been employed, may I know whether it is necessary to maintain the institute for supplying teachers to other schools? "

The Hon. Mr. P. T. RAJAN:—" Some of these are required for employment in the department itself and others may seek employment in other schools."

Working of the Fisheries Training Institute, Calicut.

* 312 *Q.*—Mr. A. B. SHETTY: Will he Hon. the Minister for Public Works be pleased to state—

(*a*) what number of students are now undergoing training at the Fisheries Training Institute at Calicut;

(*b*) whether any difficulty is felt in getting pupil-teachers to come to this institute;

(*c*) if so, what the difficulty is;

(*d*) whether the Fisheries schools are in need of teachers trained at this institute; and

(*e*) whether the persons turned out of this institute have all been able to find employment in Fisheries schools or other training schools?

A.—(*a*) Six.

(*b*) No.

(*c*) Does not arise.

(*d*) Yes.

(*e*) If by the term " other training schools " the hon. Member refers to other elementary schools, the answer is " Yes."

Mr. A. B. SHETTY:—" May I know how many teachers there are in this institute and whether there are more teachers than students? "

The Hon. Mr. P. T. RAJAN:—" Notice."

Mr. A. B. SHETTY:—" Will the Hon. Minister be pleased to state whether it is worth while to spend so much money for this institute when it is found difficult to get students? There are only six students under training? "

The Hon. Mr. P. T. RAJAN:—" I will look into the question."

Adulteration of Foodstuffs

Availability to the public of the publications of the Food Research Institute, Coonoor.

* 313 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) the results of the researches made by the Food Research Institute, Coonoor, regarding the South Indian food;

(*b*) whether these results have been published in this Presidency for general information;

(*c*) whether such publications, if any, are available for price or for free distribution and if so, where and at what prices; and

(*d*) if they are not now made available to the lay public, whether any steps are now under contemplation to make them so available and if so, what the measures proposed in this connexion are?

A.—(*a*) The Nutrition Research Laboratories, Coonoor, are investigating—

(i) the nutritive value of Indian foodstuffs, and

(ii) the existing state of affairs regarding the diet and " state of nutrition " of the Indian people.

During the last year some two hundred Indian foods have been analysed to discover their content of calories, protein, fat, carbohydrate calcium, phosphorus and iron. A somewhat smaller number have been investigated for their content of various vitamins. The effect of various factors—storage, cooking, etc.—on food value has been studied. The nutritive value both of diets actually consumed by population groups and of suitable cheap " well-balanced " diets, has also been the object of investigation.

Field enquiries have revealed that malnutrition is common among South Indian children. Diet surveys, at present in progress, will make it possible to assess the adequacy and demonstrate the defects of the diet of villagers in various parts of the country.

(*b*), (*c*) & (*d*) The results of scientific research carried out by the staff of the laboratories are published in the Indian Journal of Medical Research which is the official organ of the Indian Research Fund Association. Articles in a scientific journal are not as a rule suitable for use in educating the public. The publication in a form more easily available to the general public of tables showing the nutritive value of common Indian foods with instructions how to make use of the tables, is under contemplation. Though the primary object of the laboratories is research, education and propaganda work has been carried out by means of popular lectures, the loan of charts, demonstrations to visitors, replies to enquiries, etc. A popularly written book on dietetics " Food " by the late Director of the Laboratories, Sir Robert McCarrison, has had wide circulation throughout India.

Local Self-Government

Number of seats fixed for the District Boards, Tanjore.

* 314 *Q.*—Mr. K. S. Sivasubrahmanya Ayyar: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the strength of the District Boards of Tanjore has been determined;

(*b*) if so, at what;

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(c) whether the Hon. the Minister will be pleased to place on the table of the House the instructions issued, if any, to the Special Officer appointed for the purpose for his guidance; and

(d) what his recommendations are in the matter of the allotment of seats—both reserved and general, talukwar?

A.—(a) & (b) The Inspector of Municipal Councils and Local Boards has submitted proposals in the matter which are under consideration.

(c) No instructions were given by the Government.

(d) The Government consider that it is not desirable in the public interest to furnish the information.

Procedure regulating communications from District Board Engineers to Government.

* 315 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the District Board Engineers are required to address any communication to Government only through the respective presidents of district boards;

(b) if so, whether a copy of the order passed by the Government in the matter will be placed on the table;

(c) what the special reasons are for such a procedure;

(d) whether the District Board Engineers are expected to report to the Government whenever they find that the presidents of district boards are not adopting the rules correctly;

(e) whether such reports are received promptly by the Government if they are sent through the presidents of district boards; if not, what remedy the Government propose to have to overcome the difficulty; and

(f) whether the District Board Engineers are permitted to send an advance copy to the Government whenever they address any communication to them through the presidents of district boards; if not, for what reasons?

A.—(a) Yes.

(b) A copy [a] of Memorandum No. 24707-A-1-C, L. & M., dated the 18th June 1935, is placed on the table of the House.

(c) The reason is given in the order referred to in clause (b) above.

(d) & (e) The attention of the hon. Member is invited to G.Os. No. 1097, L. & M., dated 7th March 1934, No. 2500, L. & M., dated 29th June 1935, and No. 2685, L. & M., dated 24th June 1936, copies [a] of which are placed on the table of the House.

(f) No orders have been issued on the point.

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a Printed as Appendix II on pages 716-718 infra.

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Mr. K. A. Nachiyappa Gounder :—" May I ask whether they are getting in reports from the District Board Engineers regularly if sent through the Presidents? "

The Hon. the Raja of Bobbili :—" The Government have no reason to believe that they are withheld."

Mr. K. A. Nachiyappa Gounder :—" With reference to answer (*f*), may I ask whether such orders will be issued? "

The Hon. the Raja of Bobbili :—" At present there is no such order."

Powers of District Board Engineers in respect of disciplinary control over the office establishment and the subordinate staff.

* 316 *Q.*—Mr. K. A. Nachiyappa Gounder : Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) what the powers enjoyed by the District Board Engineers are to have disciplinary control over the office establishment and other subordinate staff working under them;

(*b*) whether such powers are their own, or whether they are delegated by the presidents of district boards;

(*c*) if the latter be the case, in which of the districts such delegations do not exist now; and

(*d*) whether there are any proposals to arrange for the investment of such powers directly to the District Board Engineers and, if so, what they are?

A.—(*a*) & (*b*) Under section 72 of the Madras Local Boards Act, 1920, the power to take disciplinary action against members of the District Board Engineering establishments vests in the President of the District Board. It is open to the President of the District Board to delegate this power to the District Board Engineer under section 23 of the Act. The Government have suggested to all Presidents of District Boards the desirability of delegating to District Board Engineers some measure of disciplinary control over their subordinates, where such delegation has not already been made. The Government have no information as to the action taken by the presidents of district boards in this direction.

(*c*) The Government have no information.

(*d*) No.

Mr. K. A. Nachiyappa Gounder :—" With reference to answer (*a*) and (*b*), may I know whether such powers have been delegated or not by the district board Presidents as advised by the Government? Will the Government call for information whether such powers have been delegated to the District Board Engineers invariably in order to falicitate work in the best interests of the board and remedy the defect if it has [illegible]"

The Hon. the RAJA OF BOBBILI:—" The position under the Act is that the District Board President has got disciplinary control over all the staff. The Government have issued instructions that it is advisable in the interest of the administration if certain powers are delegated to District Board Engineers. These instructions are purely advisory. I do not think any useful purpose or public interest will be served in pursuing the matter."

Mr. K. A. NACHIYAPPA GOUNDER:—" Where these powers have not been delegated to the District Board Engineers, how are they to control the staff under them or to get on with the work?"

The Hon. the RAJA OF BOBBILI:—" They have been getting on all these years; the Government do not see that there will be any difficulty; of course there have been a few cases where it has been difficult; but on the whole the Government do not think that any special arrangement is needed."

Mr. K. KOTI REDDI:—" If the Government think that the instructions that have been given to the Presidents in the matter of delegating certain powers to the District Board Engineer are advisory, what is there to prevent them from amending the Act so that these powers may be conferred on the District Board Engineers by the Government themselves?"

The Hon. the RAJA OF BOBBILI:—" The Government have issued instructions of an advisory character; there is nothing to prevent either the Government or the Council from amending the Act when any necessity arises."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask whether the Government are aware that the powers that had been delegated to the District Board Engineer, Salem, have been withdrawn and whether it is not causing great hardship?"

The Hon. the RAJA OF BOBBILI:—" I have no information."

Mr. K. A. NACHIYAPPA GOUNDER:—" Will the Government be pleased to enquire into the matter?"

The Hon. the RAJA OF BOBBILI:—" I have already stated that I do not think that any public interest will be served by enquiry. The instructions are purely advisory."

Proposal for the transfer of the District Board Engineer, Salem.

* 317 *Q*.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether there are any proposals to transfer the present District Board Engineer at Salem;

(*b*) when he was posted to that district and when he joined duty there;

(c) whether the President, District Board, Salem, has addressed any communication to the Government either officially or unofficially regarding the transfer of the present District Board Engineer from that place; and

(d) if so, whether a copy of his letter or letters will be placed on the table?

A.—(*a*) No.
(*b*) He joined the Salem district on the 14th October 1935.
(*c*) No.
(*d*) Does not arise.

Filling the vacancy of First-grade Assistant Engineer, Anantapur.

* 318 *Q.*—Mr. G. Rameswara Rao: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether there was a First-grade Assistant Engineer in the district of Anantapur;

(*b*) whether ever since he was made a District Board Engineer in another district, his vacancy has not been filled up;

(*c*) whether the District Board President, Anantapur, is now attempting to have a First-grade Assistant Engineer and has addressed the Government on that matter; and

(*d*) if so, whether any orders have been passed thereon?

A.—(*a*) *to* (*d*) In exercise of the powers conferred by section 67 (3) of the Madras Local Boards Act, 1920, the Government sanctioned two second-grade posts of Assistant Engineers on Rs. 150—20/2—250 each for the Anantapur District Board as recommended by the then President, District Board, with effect from 1st October 1934. On a representation received from the present President, District Board, in the matter, the Government have recently sanctioned the creation of one first-grade post of Assistant Engineer in the place of one of the two second-grade posts previously sanctioned.

Representation from the Auto Supplies Company, Salem, regarding the purchase of motor lorry by the Salem District Board.

* 319 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether representations, dated 13th August 1936, have been received from the Auto Supplies Company, Salem, in the matter of purchase of motor lorry by the President of the Salem District Board;

(*b*) if so, whether a copy of it will be placed on the table;

(*c*) what action has been taken thereon and with what result; and

(*d*) whether a copy of the final order passed in the matter will be placed on the table?

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A.—(*a*) *to* (*d*) The Government have received a copy of a letter addressed to the President, District Board, Salem, in the matter but they do not propose to take any action on the same or to place a copy of it on the table.

Representations from the exempted Tamil Pandits of Tinnevelly Board High Schools for a better scale of pay.

* 320 *Q.*—Mr. A. M. Ahmed Meeran: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether any representation has been made to the Government by the trained exempted Tamil Pandits in the Tinnevelly District Board High Schools that they should be given a better scale of pay in view of their training qualification; and

(*b*) if so, whether any action has been taken thereon?

A.—(*a*) Yes.

(*b*) The representation was returned to the petitioners with reference to the rule requiring that every petition must be submitted through the head of the office or department to which the petitioner belongs or belonged.

Equalization of the scale of pay of Head Tamil Pandits and Assistant Tamil Pandits in the service of local boards.

* 321 *Q.*—Mr. A. M. Ahmed Meeran: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the Government are aware of the fact that before the issue of the order fixing the scales of pay of teachers in the Local Board service, there were two classes of pandits, head and assistant, drawing different scales of pay in some of the district boards and that there is no distinction between the two now; and

(*b*) whether any representation has been received from the Head Tamil Pandits of the Tinnevelly District Board Schools that they should be given a better scale than their assistants?

A.—(*a*) The pandits in local board schools were drawing different scales of pay prior to the introduction of the revised scales of pay by the Government. The Government have now regulated their pay with reference to the qualification of the pandits.

(*b*) Yes.

Control of Vehicles

Alleged irregular issue of 'G' permits by the District Superintendent of Police, Chittoor.

* 322 *Q.*—Mrs. A. Rukmani Lakshmipathi: Will the Hon. the Home Member be pleased to state—

(*a*) whether it is a fact that in the Chittoor district, the District Superintendent of Police granted 'G' permits to buses for the year 1936–37 to which licences had been refused by the District Board;

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(*b*) whether it is a fact that eight buses were allowed to run by the District Superintendent of Police under cover of 'G' permits without District Board licences for nearly two months, from the 1st April 1936 to the 4th June 1936;

(*c*) whether it is a fact that the President, District Board, Chittoor, complained to the District Magistrate, Chittoor, and the Inspector-General of Police, regarding the conduct of the District Superintendent of Police, Chittoor, in granting 'G' permits to unlicensed buses; and

(*d*) if so, what action has been taken by the said officers on the aforesaid complaints to them?

A.—(*a*) No, but in one case the District Superintendent of Police renewed a 'G' permit in May 1936 although the district board licence had been refused in respect of that bus.

(*b*) From the 1st April 1936 to 4th June 1936, seven buses plied for hire in the district under cover of 'G' permits without district board licences.

(c) Yes.

(*d*) They made enquiries and submitted reports to the Government. The District Magistrate ordered the cancellation of the 'G' permits in respect of buses for which the district board licences had been refused.

Mr. C. RAMALINGA REDDI:—"Arising out of the answer (*a*), may I ask my hon. Friend what action he took against the District Superintendent of Police for issuing the 'G' permit improperly?"

The Hon. Mr. C. F. BRACKENBURY:—"No action has been taken, Sir."

Mr. C. RAMALINGA REDDI:—"Do the Government intend to take any action?"

The Hon. Mr. C. F. BRACKENBURY:—"As I mentioned last week, this matter of the Chittoor bus quarrel, if I may so describe it, is still under the consideration of the Government and final orders are yet to issue."

Mr. C. RAMALINGA REDDI:—"May I ask Mr. President, with reference to answers (*a*) and (*b*), whether it was not the duty of the Police to take action when buses are running without district board licence and whether it is not part of their duty to check the running of buses and see that those buses which do not hold the district board licence are not allowed to run or are prosecuted if they do so in spite of warning?"

The Hon. Mr. C. F. BRACKENBURY:—"I should think that the correct course would be for the President of the District Board to make a complaint in the Magistrate's Court against buses running without the district board licence."

Mr. C. RAMALINGA REDDI:—"May I ask my hon. Friend whether it is not part of the duty of the Police who are spread all over the district to detect this kind of crime and report to the District Board President or even take action independently?"

The Hon. Mr. C. F. BRACKENBURY:—"I am not aware that the crime is a cognizable offence; a complaint has to be preferred first."

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Allegations against the District Superintendent of Police, Chittoor, in regard to creation of monopolies in favour of the Chittoor Motor Transport Company.

* 323 *Q.*—Mrs. A. Rukmani Lakshmipathi: Will the Hon. the Home Member be pleased to state—

(*a*) whether the District Superintendent of Police, Chittoor, was directing the District Board President to issue licences only to those persons to whom he gave 'G' permits by his letters, dated 16th April 1936; if so, whether he will be pleased to lay copies of those letters on the table;

(*b*) whether it is a fact that to a reference by the President, District Board, dated 11th April 1936, as to how the District Superintendent of Police could create monopolies on any route for any bus-owner, the District Superintendent of Police himself did not send any reply but directed his manager to write to the District Board President informing him that his letter did not deserve a reply and if so, whether he will be pleased to lay this letter on the table; and

(*c*) whether it is a fact that ever since the District Superintendent of Police has been trying to reserve particular routes for the buses of the Chittoor Motor Transport Company?

A.—(*a*) The District Superintendent of Police requested the President, District Board, to issue licences in respect of certain buses which the District Superintendent of Police considered should be authorized to ply for hire. The Government are not prepared to place copies of the letters on the table of the House.

(*b*) Yes. The Government do not consider that any public purpose will be served by laying the letter on the table.

(*c*) The District Superintendent of Police considered that all the vacancies on the Chittoor-Madanapalle route should be reserved for the Chittoor Transport Company and he refused to issue 'G' permits for this route, to other bus-owners. The District Magistrate has since cancelled the 'G' permits in respect of buses belonging to the Chittoor Transport Company for which district board licences had been refused and has directed the issue of 'G' permits to other bus-owners. The Government have no information that any attempt was made to reserve any other route for any particular owners.

Mr. C. Ramalinga Reddi:—"I am sorry I have to ask some supplementary questions. May I ask the Government once again whether they approve the kind of reply given to the District Board President which is referred to in question (*b*) and what action they propose to take against the District Superintendent of Police for this want of courtesy?"

The Hon. Mr. C. F. Brackenbury:—"The Government do not approve of the reply given by the District Superintendent of

Police. With regard to the action taken I must refer my hon. Friend to the answer I have just given that no action has yet been taken."

Mr. C. Ramalinga Reddi:—" I am thankful for the mercy shown so far, namely, disapproving of the conduct of the District Superintendent of Police. May I ask under what authority or power the District Superintendent of Police arrogated to himself the policy that ought to be pursued by the district board with respect to the licences given to particular buses on particular routes which is admitted in answer (c)? "

The Hon. Mr. C. F. Brackenbury:—" The Government have no information."

Mr. C. Ramalinga Reddi:—" May I request the Hon. Member to be so good as to call for information and also to find out whether he has been refusing ' G ' permits merely as an act of reprisal against the district board for refusing their licence to the buses which were recommended by him? "

The Hon. Mr. C. F. Brackenbury:—" I do not think it is necessary to call for further information; all the materials are already available."

Alleged refusal of the District Superintendent of Police, Chittoor, to grant ' G ' permits to Shamsheer Motor Service.

* 324 Q.—Mrs. A. Rukmani Lakshmipathi: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that for the first half-year 1936–37, the District Board President gave licences for four buses out of eight for the Chittoor Motor Transport Company on the Chittoor-Madapanalle route and granted two to Abdul Rahiman and the other two to Shamsheer Motor Service;

(b) whether with a view to reserve the line for all the eight buses of the Chittoor Motor Transport Company, the District Superintendent of Police refused to grant ' G ' permits to Shamsheer Motor Service and condemned Abdul Rahiman as a rowdy and gave all the eight permits to the Chittoor Motor Transport Company;

(c) whether the District Magistrate, Chittoor, declared the grant of the four other ' G ' permits to the Motor Transport Company for unlicensed buses as illegal and cancelled those ' G ' permits and allowed the appeal of Shamsheer Motor Service and directed that ' G ' permits be given to him; and

(d) whether in spite of his order the District Superintendent of Police has not granted ' G ' permits to Shamsheer Motor Service, but has cancelled the ' G ' permits of that company on other routes?

A.—(a) Yes, except that the licences were granted for the first quarter of 1936–37, and not for the half year.

(b) (1) The District Superintendent of Police refused to grant ' G ' permits in respect of the buses belonging to the Shamsheer Motor Service and Abdul Rahiman Sahib.

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(2) The District Superintendent of Police considered that Abdul Rahiman was unfit to receive a 'G' permit.

(3) The question of granting 'G' permits to the Chittoor Motor Transport Company did not arise as 'G' permits had previously been granted for the buses in question and were still current when the other 'G' permits were refused.

(c) (1) The District Magistrate cancelled the outstanding 'G' permits in respect of the four buses belonging to the Chittoor Motor Transport Company for which district board licences had been refused.

(2) Yes.

(d) The District Superintendent of Police in accordance with the District Magistrate's order granted 'G' permits in respect of the two motor buses which had received district board licences for the Chittoor-Madanapalle route. He cancelled 'G' permits previously granted to the Shamsheer Motor Service in respect of two other buses plying on other routes for infringement of the rules after repeated warnings.

Mr. C. Ramalinga Reddi:—"May I ask my Hon. Friend the reason why it is stated now that the Government do not find it necessary to call for further information? Are they satisfied that the refusal of 'G' permits has, in many cases, not been on technical grounds which are the proper grounds for the refusal of the issue of these 'G' permits but was intended to force the District Board President to succumb to the policy of the District Superintendent of Police?"

The Hon. Mr. C. F. Brackenbury:—"The reports we have received do not indicate that the District Superintendent of Police has been actuated by any such motives as it is suggested."

Mr. C. Ramalinga Reddi:—"May I know if there is a large number of cases in which 'G' permits which he has refused have been restored by the District Magistrate? Will the Hon. Member enquire if such cases have arisen in previous years and why there have been such a large number of cases only this year?"

The Hon. Mr. C. F. Brackenbury:—"My information is that 'G' permits have been granted on appeal in the case of one owne only in regard to two buses."

Allegations against the District Superintendent of Police, Chittoor, in relation to the disturbances on the 6th and 7th June 1936.

* 325 Q.—Mrs. A. Rukmani Lakshmipathi: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that the employees of the Motor Transport Company, Chittoor, prevented all buses from running on the 6th and 7th June 1936 by pulling down the passengers, by switching off the air

from the tyres of the vehicles, by lying across the road to prevent buses plying, by threatening the driver and conductor and by taking physical possession of the bus stand at Chittoor;

(*b*) whether it is a fact that neither the District Superintendent of Police nor the Inspector of Police nor any Police Officer took any steps to clear the bus stand of the rioters and allow buses to run;

(*c*) whether hooligans paraded the streets abusing the President, District Board, filthily, surrounded his car, paraded in front of his house, and threatened to assault him if he came to the open;

(*d*) whether it is a fact that the Police Inspector and Sub-Inspector were merely looking on and were encouraging the crowd by their indifference and inaction to commit acts of hooliganism;

(*e*) whether one vakil was assaulted by the rioters and when all these were brought to the notice of the Inspector of Police, he said, ' the sensation must be allowed to go on ';

(*f*) whether it is a fact that the President, District Board, Mr. M. Anantasayanam Ayyangar, M.L.A., and Mr. K. Varadachariar, another member of the District Board sent a telegram to the Government to transfer the District Superintendent of Police immediately;

(*g*) if so, what action has been taken by the Government thereon;

(*h*) whether the Government are aware that an M.L.C., and M.L.A. and the President, District Board, the Municipal Chairman and a Bench Magistrate, Chittoor, waited on deputation on the Deputy Inspector-General of Police and requested him to transfer the District Superintendent of Police immediately for his indifference to check the disturbances;

(*i*) whether the Government are aware that the Municipality, Chittoor, passed an unanimous resolution protesting against the inaction and indifference of the Police during the disturbances and requesting the Government to transfer both the District Superintendent of Police and the Inspector of Police and to hold an inquiry into the conduct of the Police; and

(*j*) what action has been taken on these representations?

A.—(*a*) The employees of the Chittoor Motor Transport Company struck work, and brought pressure to bear upon the drivers of other buses to prevent them from running according to schedule. The Government have no information in regard to the precise acts referred to.

(*b*) No. The Circle Inspector of Police succeeded in getting one bus away in spite of the opposition of the strikers.

(*c*) The strikers made demonstrations against Mr. P. Narayana Reddi and others abusing him in front of his house on the night of the 6th June 1936.

(*d*) No.

(*e*) (1) No complaint of an assault was made by any vakil to the Local Sub-Magistrate, the Local Subdivisional Magistrate or to the Police.

(2) No.

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(*f*) Yes.
(*g*) None.
(*h*) A number of persons waited on deputation on the Deputy Inspector-General of Police at Chittoor and some of them made a request that the District Superintendent of Police should be transferred.
(*i*) Yes.
(*j*) The resolution of the municipality has been cancelled by the Government.

Mr. C. Ramalinga Reddi:—" I shall ask only one more question. May I ask my Hon. Friend whether he will call for the facts and figures regarding the granting or the refusal of ' G ' permits, say, for the last two or three years and see whether there has been anything unusual and abnormal this year both as regards refusal and the way in which they have been granted, the number of appeals preferred against the action of the District Superintendent of Police and the number of cases in which the District Magistrate set aside the orders of the Chief of the Police department in the district, and further also as regards the number of ' G ' permits which he has refused to buses already possessing the district board licences? "

The Hon. Mr. C. F. Brackenbury:—" I don't think that any useful purpose will be served by calling for statistics for the last two or three years. We admit that this year something abnormal has occurred in the Chittoor district, because the District Superintendent of Police, the District Magistrate and the Vice-President of the district board have not probably pulled together quite as we had hoped."

Mr. Basheer Ahmed Sayeed:—" May I know whether the Government are aware that the District Superintendent of Police, Chittoor, has very nearly identified himself with one of the motor companies which are plying buses for hire in that district? "

The Hon. Mr. C. F. Brackenbury:—" No, Sir; we are not aware of it."

Mr. Basheer Ahmed Sayeed:—" May I know whether they will call for information on this fact and also as to whether the District Superintendent of Police as the head of the Police department in that district, inaugurated one of the motor bus services? "

The Hon. Mr. C. F. Brackenbury:—" I do not think that any useful purpose will be served by calling for the information."

Mr. C. Ramalinga Reddi:—" My Hon. Friend states that because of certain irregularities, the District Superintendent of Police cancelled the ' G ' permits given to two buses of a particular service. May I request him to enquire whether, in spite of the frequent irregularities on the part of the Chittoor Motor Transport service, the District Superintendent of Police would not condescend to take any notice or suspend, let alone cancel, the ' G ' permits issued to them? "

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The Hon. Mr. C. F. Brackenbury:—" I do not think, Sir, that any useful purpose will be served by making an enquiry unless the vice-president or the president of the district board brings it to notice officially."

Enquiry by the District Magistrate, Chittoor, into the petition presented relating to the disturbances on the 6th and 7th June 1936.

* 326 Q.—Mrs. A. Rukmani Lakshmipathi: Will the Hon. the Home Member be pleased to state—

(a) whether the Government are aware that the District Superintendent of Police, Chittoor, has definitely pitched himself against the District Board President-in-charge, and persistently refused 'G' permits to licensees of buses from the District Board and that a deadlock has arisen in the district in regard to the administration under Motor Vehicles Act and under the Madras Local Boards Act;

(b) whether a petition bas been filed by two motor-bus owners before the District Magistrate on the 7th June complaining against the conduct of the hooligans in preventing the buses from plying and against the conduct of the Police in being indifferent and in not coming to the help of the bus-owners;

(c) where the District Magistrate and the Subdivisional Magistrate were camping on the 6th and 7th;

(d) whether the petition in question was filed before the District Magistrate in his camp at Palmaner;

(e) whether the Government are aware that the District Magistrate passed orders on that petition expressing his opinion that the conduct of the Police was shocking and remarking that the District Superintendent of Police was responsible for safeguarding the interests of the public;

(f) whether the Government are aware that the District Magistrate directed the Subdivisional Magistrate, Chittoor, to proceed to Chittoor immediately and to get buses running;

(g) whether the Government are aware that the Subdivisional Magistrate was directed to send up a report at once on the allegations of the petition;

(h) whether the Subdivisional Magistrate sent up any such report to the District Magistrate; if not, whether the Government will be pleased to inquire as to the circumstances under which such report was not submitted by the Subdivisional Magistrate of Chittoor; and

(i) whether the District Magistrate has sent any report to the Government as to the happenings in Chittoor on the 6th and 7th June; if so, whether the Government will be pleased to lay the same on the table?

A.—(a) No deadlock has arisen. In April 1936, there was a difference of opinion between the District Superintendent of Police and the Vice-President, District Board, in regard to a few buses, and the District Superintendent of Police refused to issue 'G' permits to certain bus-owners who had obtained district board licences.

(b) Yes.

(c) The District Magistrate was camping at Palmaner on the 6th and 7th. The Subdivisional Magistrate camped at Paradarami on 6th and returned to Chittoor on the 7th.

(d) Yes.

(e) No. The District Magistrate forwarded the petition to the Subdivisional Magistrate, Chittoor.

(f) The District Magistrate instructed him to take the necessary steps.

(g) Yes.

(h) The Subdivisional Magistrate submitted a report.

(i) The District Magistrate submitted his reports on the 8th and 10th June 1936. The Government do not consider it necessary to place these reports on the table.

Mr. K. Koti Reddi:—"May I know if this diarchy cannot be got rid of by some means or other?" (Laughter.)

Mr. C. Ramalinga Reddi:—"My Hon. Friend mentioned that the District Superintendent of Police and the District Magistrate on one side and the District Board President on the other were not pulling on together . . ."

The Hon. Mr. C. F. Brackenbury:—"I did not say anything about sides."

Mr. C. Ramalinga Reddi:—"Very well, the three were at loggerheads. May I remind him that on March 26th, at a conference held between the District Magistrate and the District Superintendent of Police and the speaker who happened to be the President of the District Board then, complete concord was established and a document was drawn up with reference to the principles which ought to guide the respective authorities in this matter of issuing bus licences and that it was the District Superintendent of Police that broke the agreement and not the District Board President?"

The Hon. Mr. C. F. Brackenbury:—"I am aware of the agreement, but I am not aware as to who broke it first. Perhaps it would not have been broken if the hon. Member had not severed his connexion with the district." (Laughter.)

Mr. Basheer Ahmed Sayeed:—"The Hon. Member said that he made enquiries into the allegations made by Mr. Anantasayanam Ayyangar, M.L.A., and found them to be untrue. Will he be pleased to place the results of the investigation on the table of the House?"

The Hon. Mr. C. F. Brackenbury:—"I see no reason to do so. I can explain very briefly how the statement was untrue. One of the allegations was that 'G' permits had been granted afresh when no district board permit was granted. That was incorrect."

Mr. Basheer Ahmed Sayeed:—"May I know from whom the Hon. Member called for a report, whether from the District Superintendent of Police or the District Magistrate or the District Board President?"

The Hon. Mr. C. F. Brackenbury:—"The District Magistrate."

Mr. BASHEER AHMED SAYEED:—"May I know if any remarks or reports were called for from the District Board President on this question?"

The Hon. Mr. C. F. BRACKENBURY:—"We have a long report from the District Board Vice-President; we have his case before us."

Alleged irregular issue of 'G' permits by the District Superintendent of Police, Chittoor.

* 327 *Q.*—Mr. C. OBI REDDI: Will the Hon. the Home Member be pleased to state—

(*a*) whether it is a fact that at a conference held between the District Magistrate, the President of the District Board, Chittoor, and the District Superintendent of Police, Chittoor, early this year, it was unanimously agreed, that no 'G' permits should be granted by the District Superintendent of Police to buses not already in possession of the District Board licence;

(*b*) whether a document to this effect was drawn up and signed by all the three persons above mentioned;

(*c*) whether the District Superintendent of Police, in violation of this agreement to which he was a party, granted 'G' permits within a short time afterwards to buses not possessing District Board licences and authorized them to run on District Board roads on his own fiat;

(*d*) whether at any time the attention of Government has been drawn to this;

(*e*) whether a request was made to institute an enquiry;

(*f*) whether Government made an enquiry or called on the District Magistrate or the District Superintendent of Police to clarify the situation;

(*g*) whether any report has been submitted by any officer as a result of enquiry made or on reference by Government;

(*h*) who were consulted in any such enquiry; and

(*i*) whether Government propose to publish a communiqué on the subject?

A.—(*a*) Yes.

(*b*) Yes.

(*c*) No: but the District Superintendent of Police renewed one 'G' permit in May, in respect of a bus for which the district board licence had been refused. A number of buses in possession of unexpired 'G' permits plied for hire without district board licences.

(*d*) Yes.

(*e*) Yes.

(*f*) Yes. The District Magistrate was directed to report.

(*g*) Yes.

(*h*) The Government have no information of the persons consulted by the District Magistrate. The Deputy Inspector-General consulted a large number of persons before reporting.

(*i*) No.

Stopping of hire buses at all police stations en route *for signing the register.*

* 328 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Home Member be pleased to state—

(*a*) whether the drivers and conductors of hire buses are required to sign in a register kept for the purpose in each police station or outpost on the route;

(*b*) if so, whether a copy of the order or circular issued in the matter will be placed on the table; and

(*c*) what steps have been or are proposed to be taken for the running of such buses without much waste of time which is ordinarily made when they stop for signing the register at the police stations?

A.—(*a*) It is the practice in most districts for passenger buses to stop outside the gates of the roadside police stations and outposts and for an officer in the station to check them. The conductor of the bus signs in a register maintained in the police station.

(*b*) The Government have no copies of any orders or circulars issued in regard to this matter.

(*c*) None. No complaints have been received of buses being detained unduly long at police stations.

Mr K. A. Nachiyappa Gounder:—" In answer to clause (*a*), it is stated that '*it is the practice in most districts . . .*' May I know whether there are any definite orders to the effect that this practice should be adopted? "

The Hon. Mr. C. F. Brackenbury:—" I may refer my hon. Friend to the answer to clause (*b*) which says that the Government have no copies of any orders or circulars issued in regard to this matter."

Religious Disputes

Order of the Sub-Magistrate, Kumbakonam, under section 144, Criminal Procedure Code, prohibiting the entry of Viswa-Brahmans into the Sri Nageswaraswami temple during Kumbhabhishekam.

* 329 *Q.*—Rao Sahib Pandit Ganala Ramamurti: Will the Hon. the Home Member be pleased to state—

(*a*) whether the attention of Government has been drawn to the orders of the Sub-Magistrate, Kumbakonam, Tanjore district, under section 144, Criminal Procedure Code, against Messrs. Tiru Chidambaram Pattar, Doraiswami Pattar, Periaswami Pattar, Kolandavelu Pattar, Gopalaswami Pattar, Kuppuswami Pattar, Muthu Pattar, Swaminatha Pattar, Kailasa Pattar, Dharma Pattar, etc., as representatives of the Viswa-Brahmana community of the locality prohibiting them to enter Sri Nageswaraswami temple at the time of Kumbhabhishekam;

(*b*) whether it is a fact that the same order is being renewed every year since 1923; and

(c) whether the Police are guarding the temple at the time of Kumbhabhishekam to prevent the entry of the members of the said community into the temple as per orders of the Sub-Magistrate?

A.—(a) No.

(b) & (c) The Government have no information. They have called for a report.

Commerce

Marketing facilities for Guntur tobacco.

* 330 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government are aware that Japan and other countries are not importing tobacco from Guntur as they have been doing in the past;

(b) whether the Government will inquire into the reasons therefor; and

(c) whether the Government have taken or propose to take adequate steps to secure proper marketing facilities for Guntur tobacco?

A.—(a), (b) & (c) The Government have no reason to think that there has been any decline in the export of tobacco to Japan.

Mr. P. V. Krishnayya Choudari:—" May I know how the Government have come to the conclusion that the tobacco trade is not declining, in the export to Japan? "

The Hon. Sir Geoffrey Bracken:—" I am afraid, Sir, that I have not got separate figures for Japan, but the total of exports in the year 1935–36 was higher than that of any period within the five preceding years."

Fixing of a quota for purchase of Indian tobacco in the Indo-Japanese trade negotiations.

* 331 *Q.*—Mr. P. V. Krishnayya Choudari: Will the Hon. the Member for Finance be pleased to state whether the Government have under consideration any proposals to bring to the notice of the Government of India the necessity for fixing a quota for purchasing tobacco from our country in the ensuing trade negotiations with Japan?

A.—The answer is in the negative.

Mr. P. V. Krishnayya Choudari:—" May I know, Sir, whether the Government are prepared to arrange for marketing facilities for the export of Guntur tobacco to Japan, as Japan seems to be now purchasing from some new islands? May I know why Government cannot fix a quota in respect of the tobacco trade, in addition to cotton? "

The Hon. Sir Geoffrey Bracken:—" That is a matter for the Government of India, Sir. I understand that the negotiations related to cotton only."

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Mr. P. V. KRISHNAYYA CHOUDARI:—" Would the Madras Government represent to the Government of India and request them to fix a certain quota for Guntur tobacco? "

The Hon. Sir GEOFFREY BRACKEN:—" I do not think any useful purpose will be served by making such a representation."

Mr. C. RAMALINGA REDDI:—" May I ask my Hon. Friend whether, if he is going to make a representation about Guntur tobacco, he may think also of the Godavari district tobacco in addition to Guntur? " (Laughter.)

Import of foreign rice and paddy.

* 332 Q.—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the Hon. the Member for Finance be pleased to state—

(a) the quantity of foreign paddy, rice and broken-rice imported into India from Siam, Burma and Indo-China in the months of April, May, June, July and August in the years 1934, 1935 and 1936; and

(b) what action the Government have taken or propose to take to relieve the hardship caused to the ryots thereby?

A.—(a) Information as regards total imports into India is not available. As regards Madras, a statement [a] giving the information required is appended.

(b) The attention of the hon. Member is invited to the answer given to clause (c) of the question No. 89.

Mr. T. S. RAMASWAMI AYYAR:—" May I know, in view of the fact that statistics indicate that paddy is imported as much perhaps as ever, if not more, and that broken rice is not imported so much at least from Siam and Indo-China, whether Government would not consider the desirability of having a duty on paddy instead of broken rice, as the latter is the poor man's food? "

The Hon. Sir GEOFFREY BRACKEN:—" I am afraid, Sir, that figures are not large enough to sway the Government of India to take action at present."

Mr. A. B. SHETTY:—" May I know how the prices have been affected by these fluctuations in import figures? "

The Hon. Sir GEOFFREY BRACKEN:—" I am afraid, Sir, I cannot answer that question now."

Famine Relief Fund

Policy underlying the administration of the Famine Relief Fund.

* 333 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Famine Relief Fund is meant only for actual relief when famine occurs or whether it is used for insurance against future famines by starting protective works of irrigation;

[a] Printed as Appendix III on page 719 infra.

(*b*) whether the Famine Relief Fund is also utilized for any purposes other than famine relief and construction of protective works of irrigation;

(*c*) what the policy of the Government has been with regard to this fund

(i) during the Viceroyalty of Lord Lytton especially with regard to the apportionment of contribution towards (1) famine and (2) insurance against famine,

(ii) later, up to 1920,

(iii) under the Government of India Act of 1919,

(iv) under the Government of India Act of 1935; and

(*d*) if there has been any change in the policy what the reasons for the changes were and what the effect of the change in the policy has been on the agriculturists, especially of our Presidency?

A.—(*a*) & (*b*) The balance in the Famine Relief Fund may be expended at any time upon the relief of famine and, when the balance exceeds Rs. 40 lakhs, the excess may be utilized to meet expenditure on protective irrigation works and other works for the prevention of famine, in the grant of loans to cultivators, or in the repayment of advances from the Provincial Loan Fund, or to meet irrecoverable balances of loans advanced to cultivators—vide paragraphs 7 and 8 of Schedule IV to the Devolution Rules.

(*c*) (i), (ii) & (iii) The hon. Member is referred to the extract [a] from the Finance and Revenue Accounts of the Government of India for the year 1934–35 appended to this answer.

(iv) The Act of 1935 contains no provision for the continuance of the Fund, and the Madras Famine Relief Fund Bill is therefore to be introduced in the present session with a view to continuing the Fund on a statutory basis.

(*d*) The reasons for the change in policy from time to time are explained in the extracts [a] appended. The Government are not aware of any tangible effect of these changes on the agriculturists of this Province except the relief afforded by the abolition of the famine cess formerly levied on land.

Reforms

Number of voters on the electoral rolls of all the constituencies comprising the Provincial Legislative Assembly.

* 334 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Finance be pleased to state—

(*a*) what is the number of voters for the Provincial Assembly in each of the General (Scheduled Castes and others separately), Muham-

[a] Printed as Appendix IV on pages 719–721 infra.

madan and Indian Christian constituencies as well as Special constituencies such as Landholders, Commerce and Labour in each district as prepared up to now;

(b) whether it is up to the expectation;

(c) if not, what are the methods to be adopted to increase the number to reach the expectations; and

(d) when the preliminary elections for the Scheduled Castes and the general elections are to take place?

A.—(a) The figures according to the preliminary rolls are given in the appended statement.[a]

(b) & (c) The aggregate enrolment in territorial constituencies falls short of the expectation of Parliament. Instructions have been issued to Registration Officers urging upon them the desirability of adding further names in the revision stage by the adoption of the following measures:—

(1) a liberal interpretation of the additional qualification prescribed for Scheduled Castes;

(2) requiring village officers to encourage joint pattadars to apply for enrolment; and

(3) requiring Registration Officers themselves to exercise their power under the rules of adding to the preliminary rolls names of qualified persons who have been omitted.

The enrolment for special constituencies is also in some cases below provisional figures. In the case of the University, Labour and Commerce Constituencies, this is to some extent due to alterations in the franchise provisions adopted after the compilation of the provisional figures and no action can be taken now. Collectors are being asked about the disparity between provisional and preliminary roll figures in the case of Landholders' Constituencies.

(d) In December 1936 and February 1937 respectively, as at present proposed.

Mr. K. A. NACHIYAPPA GOUNDER:—" With regard to the answers to clauses (b) and (c), the Government say: ' a liberal interpretation of the additional qualification prescribed for Scheduled Castes.' May I ask the Hon. Member why such a step has not been taken at the outset itself? "

The Hon. Sir GEOFFREY BRACKEN:—" It is open to all registration officers to interpret the additional qualification liberally."

Manner of voting in the case of elections to the Provincial Legislative Council.

* 335 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(a) what the number of voters for the Provincial Legislative Council in each district as prepared up to now is;

[a] Printed as Appendix V on pages 722–724 infra.

(*b*) whether it is up to the expectations;

(*c*) if not, what the methods to be adopted are to increase the number; and

(*d*) by what method the elections for this body (Provincial Legislative Council) are to be conducted; whether by postal vote or otherwise?

A.—(*a*) The figures according to the preliminary rolls are given in the appended statement.[a]

(*b*) Not in all cases.

(*c*) The Government do not consider that any special action is either possible or called for. Having regard to the relatively high status of the electorate for the Council, the Government trust that qualified persons whose names have been omitted from the roll will take due note of the Press Communiqué of the 15th August and prefer their claims to the appropriate revising authority.

(*d*) General constituencies ... ... Voting in person.
Muhammadan, Indian Christian and European constituencies ... .. Postal voting.

Mr. K. A. NACHIYAPPA GOUNDER:—" With regard to the franchise of the Legislative Council, in the rules it is stated that a man who pays a rent of Rs. 300 in the ryotwari areas can be enlisted as a voter. May I ask whether the Government have taken it as the lease amount in ryotwari villages or the assessment to be paid on land? "

The Hon. the PRESIDENT:—" This question relates to voting and not to electoral rules."

Mr. A. B. SHETTY:—" May I ask whether the cumulative method of voting will be adopted in plural or multi-member constituencies? "

The Hon. Sir GEOFFREY BRACKEN:—" Does the hon. Member refer to the Legislative Council or the Legislative Assembly? "

Mr. A. B. SHETTY:—" Legislative Assembly."

The Hon. Sir GEOFFREY BRACKEN:—" For the Legislative Assembly, the cumulative system of voting has been prescribed."

Mr. K. A. NACHIYAPPA GOUNDER:—" In answer to clause (*d*), the Government state: 'General constituencies . . . Voting in person.' In view of the fact that there are only a small number of votes for the Legislative Council in some of the districts, will the Government be pleased to consider the question of adopting the postal voting system in those districts? "

The Hon. Sir GEOFFREY BRACKEN:—" I am afraid it is not open to this Government to change the system of voting."

Mr. K. KOTI REDDI:—" May I know whether the time for filing objections will be extended? "

The Hon. Sir GEOFFREY BRACKEN:—" I think there is plenty of time for filing objections."

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[a] Printed as Appendix VI on pages 724–725 infra.

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Irrigation

Contributions from the Central Government towards the cost of irrigation works.

* 336 *Q.*—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether irrigation was a Central subject and whether it was transferred to Provincial Government recently;

(*b*) whether the burden of constructing and maintaining irrigation works has consequently been transferred to Provincial Governments; and

(*c*) whether any, and if so, what contribution our Provincial Government get from the Central Government towards the cost of irrigation works, especially from revenues which were primarily meant for protective works and famine insurance?

A.—(*a*) & (*b*) Prior to the Reforms in 1921 'Irrigation' was partly 'Provincial' and partly 'Central' and thereafter wholly 'Provincial.'

(*c*) Nil.

Mr. T. S. RAMASWAMI AYYAR:—"May I know if the Madras Government have still got to pay the pre-reform irrigation debt to the Central Government, or has it been written off?"

The Hon. Sir CHARLES SOUTER:—"My Hon. Colleague, the Finance Member, informs me that the pre-reform debt has not been written off; all the debts have been consolidated."

Mr. G. RAMESWARA RAO:—"May I know whether any special taxes were levied for the purpose of the Famine Protective Fund, whether the Secretary of State issued one or two despatches to say that the Government of India must go on adding to that fund, and if so, what the contribution that our Government got from the Imperial Government is?"

The Hon. Sir CHARLES SOUTER:—"To what period in the history of India does the hon. Member refer?"

Mr. G. RAMESWARA RAO:—"After the advent of the British Government."

The Hon. Sir CHARLES SOUTER:—"Well, Sir, I am afraid I am not sufficiently an antiquarian to answer that question."

Mr. T. S. RAMASWAMI AYYAR:—"May I know if after the Neimeyer Report the other provinces have got some relief in regard to their irrigation debts, and if so, whether Madras also has not got a claim for a similar relief?"

The Hon. Sir CHARLES SOUTER:—"Notice, Sir."

Irrigation under the 'Thadappalli channel,' Coimbatore district.

* 337 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what is the area irrigated by the 'Thadappalli channel' branching from Kodiveri Anicut across the Bhavani river in Coimbatore district;

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(*b*) what the minimum and maximum and normal discharge of water in that channel is and when the minimum and maximum are ordinarily reached;

(*c*) what the rules governing the irrigation system in that channel are;

(*d*) what the duty is at which the sluices in the upper reaches and those in the lower reaches ordinarily work during the period of maximum and minimum and normal discharge in the channel;

(*e*) whether the sluices are allowed to be meddled with;

(*f*) whether these sluices have been constructed after conducting proper experiments so as not to waste any water unnecessarily;

(*g*) whether representations have been received from the mirasidars of the area explaining their difficulties in not having proper supply of water; and

(*h*) if so, what the nature is of the said representations, and in what way they have been disposed of?

A.—(*a*) Area irrigated in 1933–34—

First crop	.. .. ..	15,166 acres.
Second crop	.. .. ..	3,161 ,,

(*b*) Maximum discharge during 1933–34 was 1,366 cusecs. Average normal discharge during December 1934 was 409 cusecs.

(*c*) The Government have no information.

(*d*) The entire channel is working at duties varying from 15 to 30.

(*e*) No; but at times there is clandestine interference by the ryots.

(*f*) No.

(*g*) & (*h*) Representations have been received from the ryots in the upper and lower reaches of the channel. The ryots in the upper reaches oppose the proposal to provide stem shutters and locking arrangements to the sluices, etc., for the reason that the usual supply to their lands will be reduced and that those in the lower reaches will get more supply. The ryots in the lower reaches welcome the improvements. The objection has been enquired into and found untenable as the improvements are necessary to prevent waste and secure effective control and equitable distribution of water at all times. The Legislative Council has voted a supplementary grant for this purpose during its present session (on 27th September).

Mr. K. A. Nachiyappa Gounder:—" The Government state here: 'the entire channel is working at duties varying from 15 to 30.' May I ask whether it is not a fact that the sluices have been remodelled quite recently and that the duty has been fixed at 25 at the channel and 30 at the sluices?"

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The Hon. Sir CHARLES SOUTER:—" That may possibly be the case after the new sluices and locking arrangements which we propose to make in that channel have been completed."

Mr. K. A. NACHIYAPPA GOUNDER:—" With regard to clause (*b*), it is stated: ' Maximum discharge during 1933–34 was 1,366 cusecs. Average normal discharge during December 1934 was 400 cusecs.' May I ask whether this great variation of discharge in the channel will not correspondingly affect the discharge by the sluices? "

The Hon. Sir CHARLES SOUTER:—" We have no reason to think so; on the contrary, the Chief Engineer for Irrigation reports that there is no such danger."

Measures to ensure adequate supply of water to the ' Thadappalli channel ' and the branches.

* 338 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the length is of the ' Thadappalli channel ' of the Kodiveri anicut across the Bhavani river in Coimbatore district and how many branch channels it has;

(*b*) what the area covered is by each of the main and branch channels and what the maximum, minimum and normal discharge is in each of them;

(*c*) whether any extension is carried on in any of these channels and if so, where and by how much;

(*d*) whether steps have been taken to increase the discharge of water in the channels so as to meet the needs of the extensions made, and if so, what they are; and

(*e*) whether satisfactory supply of water is ensured in each channel up to the tail-end in each season?

A.—(*a*) The length of the channel is 48 miles. It has seven branch channels.

(*b*) The area irrigated by the main and branch channels is about 15,000 acres. The maximum discharge in the main channel during the year 1933–34 was 1,366 cusecs. The average normal discharge during December 1934 was 409 cusecs. Figures of discharge in each of the branch channels are not available.

(*c*) Yes. About 530 acres are irrigated under the Kugalur branch channel, which was opened for experimental purposes.

(*d*) No such steps were necessary.

(*e*) In order to secure a well regulated supply and to secure effective control and equitable distribution of water at all times and eliminate wastage of water as far as possible the Government have approved a proposal to provide stem shutters and locking arrangements to the sluices.

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Mr. K. A. NACHIYAPPA GOUNDER :—" With regard to the answer to clause (e) that there is an extention of about 530 acres, may I know whether the approval of Government was obtained for this extension? "

The Hon. Sir CHARLES SOUTER :—" In reply to question 339 (d), the hon. Member will find that ' the sanction of Government was not necessary and was not obtained.' That is for the extension channel."

Mr. K. A. NACHIYAPPA GOUNDER :—Even in regard to the present ayacut, there is a lot of complaint that there is not enough supply of water; if so, is it desirable to extend the irrigation? "

The Hon. Sir CHARLES SOUTER :—" Even in the year 1934 which was a year of abnormally low discharges, the water was found sufficient."

Supply channel to the experimental farm near Kugalur, Coimbatore district.

* 339 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER : Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that an experimental farm for testing the water required by various crops has been started near Kugalur in Coimbatore district, and a branch channel has been taken from the main channel from the Kodiveri anicut to irrigate the said farm;

(*b*) what the extent is of the farm originally taken and that now is;

(*c*) what the experiments carried on there are and with what result and how long the experiment is to continue;

(*d*) whether it is a fact that the extension channel taken up especially for this farm has been further exteuded and if so, by how much;

(*e*) by whom such an extension was made; whether orders of the Government have been obtained for such an extension, and if so, whether a copy of it will be placed on the table; and

(*f*) whether representations and objections have been received in the matter of such an extension, and if so, from whom and in what way they have been disposed of?

A.—(*a*) Yes.

(*b*) Extent originally proposed .. 144 acres.
Present extent .. .. .. 100 ,

(*c*) Experiments in flow irrigation now conducted at Kugalur are duty experiments intended to furnish preliminary data in the matter of detailed watering arrangements and crop economics in the second crop area under the proposed Lower Bhavani Project. Experiments conducted in 1934–35 indicate that cambodia cotton can be grown profitably while the raising of other crops is hardly profitahle, with the proposed water-rate.

The experiments during 1935–36 are not yet over and it is likely that further experiments may be conducted before definite conclusions are reached.

(*d*) & (*e*) An extension channel in continuation of the experimental channel was dug in 1934–35 at the cost of the ryots. The sanction of Government was not necessary and was not obtained. The area irrigated under the extension channel was about 110 acres in 1934–35, and about 300 acres in 1935–36, the total irrigable ayacut under the channel being about 430 acres.

(*f*) Yes, from the landholders under the Thadepalle channel and they were forwarded to the Board of Revenue and the Chief Engineer for Irrigation for disposal. The Chief Engineer has reported recently that the objections have no substance as there was no difficulty in supplying the regular ayacut under the main channel during the course of these experiments, when there were unprecedentedly low supplies in the Bhavani river.

Irrigation under the "Arakkankottai channel," Coimbatore district.

* 340 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the length is of the "Arakkankottai channel" leading from the Kodiveri Anicut in Coimbatore district, to the left of the river Bhavani, and what the area covered by that channel is;

(*b*) what the maximum and minimum discharge of water in that channel is and what the normal discharge is;

(*c*) what the rules governing the irrigation from this channel are; and

(*d*) whether any extensions are proposed to be carried on in this channel, and if so, what they are?

A.—(*a*) (i) Twenty miles.

(ii) Average area irrigated by the channel is about 4,765 acres.

(*b*) Maximum discharge during the year 1933–34 was 964 cusecs. Normal discharge is about 200 cusecs.

(*c*) The Government have no information except that a turn system is in operation.

(*d*) No extensions are proposed at present.

Non-observance of the rules regulating the filling up of the Veeranam tank.

* 341 *Q.*—Mr. Basheer Ahmed Sayeed: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the rules in G.O. No. 1150 I., dated 28th May 1932, and previous G.O. Nos. 667 I., dated 19th December 1914 and 400 I., dated 24th September 1909, provided for filling up of the Veeranam tank whenever the supply in the lower Coleroon Anicut exceeded 1,330 cusecs;

(*b*) if so, whether the said rules are not heing adhered to and whether the Veeranam tank is filled up as required in the said Government Orders;

(*c*) whether all the surplus water in the Veeranam tank over its old fixed tank level is being sent down to the Shatiatope anicut system;

(*d*) whether it is a fact that the working by the Public Works Department of the supply of water for the entire area under the lower Coleroon Anicut at fifty duty as per rules in G.O. No. 1150 I., dated 28th May 1932, causes hardship to the Shatiatope Anicut area, while there is wastage in other ayacuts; and

(*e*) whether the Government have under consideration any proposal to fix the duty at forty for the whole area with a view to give more supply to the tail-end areas?

A.—(*a*) The position is as stated according to the rules issued in 1932. The previous rules did not contain this provision.

(*b*) The rules issued in 1932 have been revised to bring them into line with the rules for regulation of water from Mettur Reservoir, etc. A copy [a] of the revised rules is laid on the table.

(*c*) From the statistics which have been worked out in the past for the years from 1928–33 it is observed that an average discharge of 205 cusecs during the second half of July, 300 cusecs during the month of August and 200 cusecs during the month of September has been passed to the Shatiatope anicut system through the Veeranam tank. The supplies were given only after the Veeranam tank level rose to its old F.T.L. of 43–50 or 4·5 on the gauge at the new supply sluices to the Shatiatope anicut system. Under the present system the Superintending Engineer has been given discretion to take supplies not exceeding 100 cusecs during the second half of July, 300 cusecs during August and 200 cusecs during September when the crops under the Shatiatope anicut system are badly in need of such extra supplies.

(*d*) The Government see no reason to think so.

(*e*) No.

30 Mr. BASHEER AHMED SAYEED:—"May I ask the Hon. the Revenue
1. Member why when the average discharge during 1928–1933 was 205 cusecs, during the second half of July, the Superintending Engineer is now given discretion only to supply 100 cusecs during the second half of July?"

The Hon. Sir CHARLES SOUTER:—"Because, Sir, that is sufficient."

Mr. BASHEER AHMED SAYEED:—"May I know whether the hon. Member did not receive complaints from the Shatiatope ayacut mirasdars that their supply has been failing and has he not also received petitions for large land revenue remissions, and has he not dealt with them, Sir?"

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[a] Printed as Appendix VII on pages 726–727 infra.

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The Hon. Sir CHARLES SOUTER:—"I understand, Sir, there was only one petition for remission from one man, a Muhammadan cultivator, who seems to have appealed to everybody and he at last came to Government."

Progress of the Gundlakamma project.

*342 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) in what stage is the Gundlakamma project in Ongole taluk;

(*b*) the extent to which the project will irrigate;

(*c*) the villages which it will irrigate and the exact place where the bund is to be situated;

(*d*) the extent which the project will irrigate for complete wet cultivation;

(*e*) whether any protests have been received from the people; and

(*f*) whether any report has been made by the Collector that dry cultivation with irrigated water is not desirable?

A.—(*a*) It is under investigation.

(*b*) & (*d*) The question whether it should be a dry scheme or a wet scheme is still under investigation. Under a dry scheme, about 74,000 acres in the rabi season every year and 16,000 acres in the kharif season once in two years will be irrigated. Under a wet scheme the area irrigated will be about 20,000 acres.

(*c*) A list [a] of villages likely to be affected by the project is annexed. The site of the reservoir is near Tangirala village.

(*e*) & (*f*) The Collector has reported that the ryots are against the dry scheme.

Mr. T. S. RAMASWAMI AYYAR:—"May I know whether the Government would not put into execution the wet scheme because the ryots do not want the dry scheme and want only the wet scheme?"

The Hon. Sir CHARLES SOUTER:—"That is the question which we are now considering. We have not made up our minds any way yet."

S. M. K. BEYABANI SAHIB Bahadur:—"May I know, Sir, whether the Government have consulted the people of Kurnool who will be affected by this scheme or at least the District Collector?"

The Hon. Sir CHARLES SOUTER:—"The scheme relates to the Gundlakamma project and it does not relate to Kurnool at all."

Mr. K. KOTI REDDI:—"In view of the fact that irrigation is a provincial subject, may I know whether the terms kharif and rabi will be hereafter converted into provincial terms?"

The Hon. Sir CHARLES SOUTER:—"I quite agree with the hon. Member that they are quite out of place now."

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[a] Printed as Appendix VIII on page 727 infra.

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Land Revenue Administration

Remission of land revenue during faslis 1344 *and* 1345.

* 343 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) what the general remission allowed in each of the faslis of 1344 and 1345 in the districts recently resettled and in others is;

(*b*) on what amount this remission was calculated in each of these faslis;

(*c*) on what amount the incremental remission is calculated besides general remission in districts which have been recently resettled, and in which the benefits of incremental remission have been given;

(*d*) how the remission was calculated in cases where the three remissions, viz., seasonal, general and incremental, have come up in each of the faslis of 1344 and 1345;

(*e*) how many orders have been passed issuing instructions with regard to the calculation of remissions in each of the faslis of 1344 and 1345; and

(*f*) whether a copy of each of such orders will be placed on the table?

A.—(*a*) *to* (*c*) The attention of the hon. Member is invited to the orders in G.O. No. 68, Revenue, dated 10th January 1935 and G.O. No. 306, Revenue, dated 12th February 1936, which were published for general information.

(*d*) The Government have no information, but have called for it.

(*e*) *&* (*f*) Besides the orders issued by the Government, instructions are from time to time issued on the subject by the Board of Revenue and the Collectors. Copies of all those instructions are not available with the Government. The Government do not consider it necessary to lay them on the table.

Mr. K. A. Nachiyappa Gounder:—" With reference to the answer to clause (*d*) the Government say that they have no information, but have called for it. May I know, Sir, whether the Government will please make it available to the House when it is received? "

The Hon. Sir Charles Souter:—" I have no objection, Sir."

Mr. T. S. Ramaswami Ayyar:—" May I ask, Sir, whether the Government propose to grant remissions according to the needs of the districts, taking into consideration the date when the last settlement took place in each district? "

The Hon. Sir Charles Souter:—" I think that is what is being done."

Administration of Justice

Appointment of Andhras as Presidency Magistrates.

* 344 *Q.*—Mr. P. C. Moses: Will the Hon. the Law Member be pleased to state—

(*a*) how many of the Presidency Magistrates who have been appointed for the City of Madras are Andhras; and

(*b*) whether any Andhra has been appointed at any time?

A.—(*a*) One stipendiary Magistrate and seven Honorary Magistrates. The Government are unable to say how many have been appointed in the past.

(*b*) Yes.

Mr. C. Indrayya:—" May I ask the Hon. the Law Member, how many of the seven honorary magistrates are Andhras? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" All the seven of them are Andhras."

Depressed Classes

Acquisition of lands for house-sites for the depressed classes.

* 345 *Q.*—Mr. A. B. Shetty: Will the Hon. the Law Member be pleased to state—

(*a*) the amount spent from the beginning till the end of 1935–36 for the acquisition of land for house-sites for the Depressed classes;

(*b*) the amount recovered from the assignees;

(*c*) the amount written off as irrecoverable;

(*d*) the amount paid out of public funds towards the cost of land required for streets and other common public purposes; and

(*e*) the amount provided in the budget for 1936–37 for the acquisition of house-sites for the depressed classes?

A.—(*a*) Rs. 18,47,892–14–11.

(*b*) Rs. 13,07,826–14–2.

(*c*) Rs. 53,215–10–0.

(*d*) Rs. 1,43,083–13–5.

(*e*) Provision has been made in the current year's budget as shown below:—

	RS.
Grants—37. 1. Miscellaneous Departments—Labour — Transferred — B. Depressed Classes—Public Health—Construction and repair of wells, pathways, burial-grounds, etc.—Grants for acquisition of house-sites	*50,000*
Deduct 25 per cent for probable savings	— 12,500
Net provision ...	37,500

	RS.
Loans—Loans and Advances by Provincial Government—g . Miscellaneous Loans and Advances—A. Loans to Depressed Classes and Criminal Tribes Settlements	50,000
Deduct 25 per cent for probable savings	— 12,500
Net provision ...	37,500

Rao Sahib V. I. MUNISWAMI PILLAI :—" What is the rate of intere that will be chargeable in the case of these loans, Sir? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" The prevaili rate at the period."

Memorial from the Adi-Andhra Mahajana Sabha, Guntur, regardi the operations of the Labour department.

* 346 *Q.*—Rao Sahib V. DHARMALINGAM PILLAI : Will the Ho the Law Member be pleased to state—

(*a*) whether it is a fact that a memorial has been sent by the Ad Andhra Mahajana Sabha of Guntur district to the Government and tl Commissioner of Labour in May last regarding the work of the Labou department in that district;

(*b*) whether it is a fact that the District Labour Officer does n enter the cheri to test the water of the wells and merely acts on th reports of village officers; and

(*c*) whether it is a fact that in the Guntur district acquisitio proposals even after sanction by the Collector have been dropped in th following instances :—

(1) acquisition of well site at Vuppalapad village, Bapatla taluk

(2) acquisition of well site and pathway leading to it at Garuda chalapalem in Sattenapalle taluk;

(3) acquisition of pathway at Vemur village in Tenali taluk;

(4) acquisition of pathway at Takkelepad in Guntur taluk?

A.—(*a*) A copy of the memorial sent to the Commissioner of Labou and Rural Uplift was submitted to the Government.

(*b*) & (*c*) The Government have no information but have calle for a report from the Commissioner of Labour and Rura Uplift.

Rao Sahib V. I. MUNISWAMI PILLAI :—" With reference to the answe to clauses (*b*) and (*c*), will the Hon. the Law Member be pleased t obtain the information and place it before this House when the infor mation is received? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM :—" If and when th information is received, the matter will be considered."

Mr. P. V. Krishnayya Choudari :—" May I know, Sir, whether among the Adi-Andhras a Mala can touch a Madiga well? "

The Hon. Rao Bahadur A. T. Pannikselvam :—" I do not know either a Mala or a Madiga."

Mr. T. S. Ramaswami Ayyar :—" Am I to take it that the hon. Member from Guntur thinks that because of the differences between Malas and Madigas, the Labour Officer should not do his duty to the depressed classes? "

Prisons and Prisoners

Health condition of Amir Hyder Khan, a prisoner detained in jail.

* 347 *Q.*—C. Ramalinga Reddi : Will the Hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the health of Amir Hyder Khan, a political prisoner, has badly suffered and is giving rise to anxiety;

(*b*) whether he is imprisoned by executive order only or by judgment of a competent court;

(*c*) (i) whether he is classed as State prisoner; (ii) if so, what allowance he is getting from Government per mensem; (iii) whether the allowance is paid regularly;

(*d*) whether he is allowed interviews or other communications with friends and relations outside;

(*e*) whether it is true that he is not allowed any companions but is kept in solitary confinement; and

(*f*) whether State prisoners are not permitted to supplement the Government allowance from other sources and to keep a cook and a personal attendant or other servants?

A.—(*a*) The latest report, dated the 25th August 1936, shows that the prisoner's general health is good.

(*b*) & (*c*) He is detained in jail as a State prisoner under the Madras State Prisoners Regulation II of 1819. A consolidated allowance of Rs. 60 per mensem has been sanctioned for him. All his requirements are met regularly from the above amount. The savings, if any, are carried on to the next month.

(*d*) Correspondence with friends and relations outside is allowed but objectionable letters are liable to be withheld. Interviews are allowed or refused according to the merits of each case.

(*e*) He was allowed to associate with the Bengal State Prisoners confined in the Rajahmundry jail. Now that there are no Bengal State prisoners in that jail, he has no companions. The question of making arrangements for suitable association for Hyder Khan has been under consideration.

(*f*) No private cook or personal attendant or other servant is permitted. There is no prohibition against supplementing the Government allowance from other sources.

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Mr. C. Ramalinga Reddi:—" May I ask my hon. Friend, aris out of the answer to clause (e), whether the Government have succee in finding some associate or whether the prisoner is still kept in solit confinement? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" We are consi ing the question of making arrangements for giving him s company."

Mr. C. Ramalinga Reddi:—" May I ask my Hon. Friend, whet the withdrawal of these Bengal State Prisoners was a sudden act one which could have been foreseen by Government? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" It was a sud act. Circumstances necessitated our transferring them."

Mr. C. Ramalinga Reddi:—" May I ask my Hon. Friend to pedite this matter of finding some companion for this State prisoner

The Hon. Rao Bahadur A. T. Pannirselvam:—" That is a ma which is under consideration."

Mr. Basheer Ahmed Sayeed:—" May I ask the Hon. the I Member whether he has received representations that the allowance Rs. 60 per mensem is not adequate? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" I do not th there is any complaint from the State prisoner himself to t effect."

Mr. Basheer Ahmed Sayeed:—" May I know whether any re sentations on his behalf have been made to the Government? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" I am not aw Sir."

Mr. C. Ramalinga Reddi:—" May I know, Sir, whether he detained under the orders of the Government of India or the Lo Government? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" He is detai under an Act of the Local Government."

Mr. C. Ramalinga Reddi:—" By the Local Government? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" Regulation of 1819 applies to the Madras province."

Mr. Basheer Ahmed Sayeed:—" May I know, Sir, whether it proposed to have him tried by an open court? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" The fact t he is detained under Regulation II of 1819 is itself enough answer that question."

Mr. Basheer Ahmed Sayeed:—" May I know, Sir, if there public reasons for not having him tried by a court established by t Government? "

The Hon. Rao Bahadur A. T. Pannirselvam:—" There are pub reasons for detaining him under Regulation II of 1819."

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Mr. C. RAMALINGA REDDI:—" Public reasons which cannot be made public? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Reasons affecting public interests."

UNSTARRED QUESTIONS

Local Self-Government

Bifurcation of district boards.

348 *Q.*—Mr. M. DEVADASAN: Will the Hon. the Minister for Local Self-Government be pleased to state—

(*a*) what are the district boards that are proposed to be bifurcated in this year; and

(*b*) which boards of the districts are likely to be bifurcated?

A.—(*a*) & (*b*) Attention is invited to the Press Communiqué, dated 15th January 1936, published at page 29 of Part I-A of the *Fort St. George Gazette.*

Since then no case has been finally decided. When a final decision has been arrived at in the case of any board, orders will be published with the least possible delay.

Criminal Tribes

Resolution of the Lambadis of Bellary and neighbouring districts for removal of their community from the operation of the Criminal Tribes Act.

349 *Q.*—Diwan Bahadur M. GOPALASWAMI MUDALIYAR: Will the Hon. the Home Member be pleased to state—

(*a*) whether the attention of Government has been drawn to a resolution passed at a recent conference of the Lambadis in the Bellary and adjoining districts that their tribe should not be included among the criminal tribes as they are now getting educated and taking to peaceful avocations; and

(*b*) if so, what action the Government have taken or propose to take in the matter?

A.—(*a*) No.

(*b*) Does not arise.

Police

Alleged insecurity of person in the cheri in Koyamedu village, Saidapet taluk.

350 *Q.*—Diwan Bahadur R. SRINIVASAN: Will the Hon. the Home Member be pleased to state what steps the authorities have taken or propose to take to allay the scare and the fear of insecurity prevailing in the cheri of Koyamedu village consequent on the police taking no action upon the complaints made by the aggrieved party against one

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Raju, son of Maddu Munian, who is alleged to have attempted rape on an Adi-Dravida girl by name Muniammal, and who is still at liberty threatening the girl and her parents and the women of the locality?

A.—The Subdivisional Magistrate, Saidapet, and the District Superintendent of Police have made personal enquiries into the matter. There is no feeling of insecurity in the cheri and no reason for the authorities to take any action.

[*Note*.—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, AND TO AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934, FOR CERTAIN PURPOSES (BILL No. 11 OF 1936).—*cont.*

Clauses 8 and 9.

* The Hon. the PRESIDENT:—" The amendment of Mr. Krishnayya Choudari regarding clauses 8 and 9 is under consideration."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, this morning I had a discussion with the Hon. the Revenue Member about clauses 8 and 9 and the Hon. the Revenue Member promised at the time that he would see that some relief is given by making suitable provision in the rules to be made after this Act becomes law. As such I do not press my amendments, Sir."

Mr. C. RAMALINGA REDDI:—" Sir, may we not have the benefit of listening to Sir Charles Souter on the subject and know what undertaking he has given? "

* The Hon. Sir CHARLES SOUTER:—" Sir, the position is this. I think the House ought to be aware generally of the reasons why the Select Committee admitted the provisions for a special procedure in regard to the record of rights of the inams which will come under the Act according to this Bill. In the first place, as the House knows, in the original draft Bill of 1934 there was no such provision. Subsequently, during the discussion in the Select Committee, as I understand it, clause 8 as originally introduced in the Bill was included and subsequently it was passed by a majority of this House into law, at least into an Act. The reasons which induced the Select Committee—I may also say myself in particular—against introducing such a particular procedure are these. First of all, under sections 181 to 185 of the present Madras Estates Land Act, we have a procedure laid down, by which either an occupant or a landholder may have his tenure recorded in a record of rights. Not only so, but the Local Government have full power to direct a record of rights when they think it is necessary to do so. The special procedure which the previous Bill introduced seemed to me, as it seemed to a large majority of the Select Committee, to introduce a form of compulsion which seemed unnecessary, and in addition to that compulsion, it practically entitled either on the landholder or the tenant who had to defend his case, an amount of expenditure which was unnecessary. If hon. Members would read that full

clause 8 carefully, they will see in how great a detail the procedure was laid down. I think it would mean more or less seven applications or petitions or notices in one form or another, each one of which will have, at one time or another, to be paid for by somebody. Also it provides there for several appeals, e.g., appeal to the District Collector, the Inam Commissioner and so on—and each one of them again entails so much cost to each applicant and probably in the end, to both parties. The consequence is, if we take the case of those for whom my hon. Friend Mr. Peddi Raju pleaded so strongly the other day, you will find that a person owning a few acres of land might have to spend for making an entry of his land in the record of rights more than he will have to pay to the inamdar for the conversion of his occupancy right in his behalf; and this seemed to us to be an unnecessary amount of expenditure and a waste of time. Quite apart from that, from the administrative point of view, it means this. In effect no inamdar who did not apply for a record of rights within two years of the passing of this Act, would have the right to do so afterwards. That is of course the natural consequence. It necessarily follows, that a large majority of inamdars will have to go to court and put in their applications. If on the other hand, harmonious relations exist between them and their tenants, they would have no need to go to court and all the expense which is entailed in this detailed procedure would not have to be borne by them. Also by having to go to court, it would naturally exacerbate feelings between the inamdar or the landbolder and the tenants, feelings which were amicable before and which need never have arisen. It is for these reasons, Sir, that I thought after serious consideration—and the Select Committee agreed with me—that this special procedure was unnecessary. But, what I think the Government ought to do is this. It is unwise that if a man takes to litigation, it should last for a long time. I admit that ever since the Act of 1908 has been passed, the amount of litigation which has arisen under sections 181 to 185 has not been abnormal. I do not think it is probable that similar litigation between the inamdars and their tenants is likely to be abnormal. I think it is 11·
the duty of the Government in cases in which they see that such litiga- a
tion is likely to arise to frame rules to see that the litigation is ended as expeditiously as possible. The Government have full powers under section 182 to order a record of rights; and I think it is the duty of the Government to make use of their powers under that section to as large an extent as possible in order that protracted litigation may cease. At the same time, under section 183 any occupant or any landholder may apply subject to the rules made by the Government for a record of his rights. The Government should make a note of the fact that rules ought to be framed and I will see that this is done as early as possible. I have made this statement as I consider it would be in the interests of both the inamdars and the tenants and to assure my hon. Friend Mr. Choudari that everything in the direction I have indicated will be done."

Mr. Krishnayya Choudari's amendment was by leave withdrawn.

* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, I would suggest that amendment Nos. 31 and 33 may be taken up together as both of them are necessary to convey the same single idea. My hon. Friend Mr. Peddi Raju's amendment (No. 32) is of course on the same subject, though slightly wider than my amendment."

Mr. P. PEDDI RAJU:—" I am agreeable to amendments Nos. 31 and 33 being taken up."

* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, I move—

'*In clause* 9, *section* 185, *sub-clause* (2), omit *the following words*:—

" *in the case of an estate within the meaning of sub-clauses* (*a*), (*b*), (*c*) *or* (*e*) *of clause* (2) *of section* 3 "; *and*

'*omit the word* " *and* " *at the end of sub-clause* (2) *and add at the end of sub-clause* (2) *the following*:—

" *Provided in the case of an inam village which was not an estate before the commencement of the Madras Estates Land* (*Third Amendment*) *Act*, 1936, *but became an estate by virtue of that Act to the question whether the land was before the* 1*st day of July* 1918 *specifically let as private land or as the inamdar's property, and.*" '

The object of the amendment is to restore in the present bill to what is in the original Act itself in respect of that class of inamdars who had come already under the Act and to apply appropriately the same principle to the other classes of inamdars who would come under the Act by this bill. This is what section 186 of the Existing Act provides.

' In a suit or proceedings which becomes necessary to determine whether any land is a landholder's private land regard shall be had to local custom and to the question whether the land was before the 1st day of July 1898 specifically let as his private land any other evidence that may be produced not to be private land until the contrary is shown.'

Sir, it is clear that the present bill contains an omission which places at a disadvantage that class which had already become an estate under the original Act. Part 1 of the amendment seeks to rectify it. The very principle which is enunciated in that section will have to be applied to the inams which would become estates under the present Act. Part 2 of the amendment seeks that application. Instead of asking that it be from the year 1926 (ten years back) I have put it eight years still earlier, so that there may be no possibility of any contention, on the score of the decision of the Privy Council of 1918 having disturbed the onus of proof. The principle is identical and the privileges must be similar. When rights exist and contentions arise, the contention will have to be decided by courts and facilities must be equal for proof by evidence to both set of landholders. I do not want anything extravagant

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in the amendment which I put forward. I find, in the Bill of 1934, that the Hon. Sir Archibald Campbell sought to amend the provision to similar effect—

'In section 185 of the said Act for the words, letters and figures "was before the first day of July 1898 specifically let as private land" the words, letters and figures "was specifically let as private land before the first day of July 1898 or in the case of any estate within the meaning of sub-clause (*d*) of clause (2) of section 3, before the first day of July 1918" shall be substituted.'

We are simply reproducing in this amendment, substantially what was put in that Bill introduced by Sir Archibald Campbell."

Mr. K. A. Nachiyappa Gounder seconded the motion.

* Mr. P. PEDDI RAJU:—" Mr. President, Sir, I beg to support the motion for the following reasons. The following is the amendment to section 185 which was introduced by Sir Archibald Campbell—

'In section 185 of the said Act, for the words and figures "was before the first day of July 1898 specifically let as private land" the words, letters and figures "was specifically let as private land before the first day of July 1898 or in the case of any estate within the meaning of sub-clause (*d*) of clause (2) of section 3, before the first day of July 1918" shall be substituted.'

The idea is this. Under the existing Act in the case of private lands the nature of the evidence that is sought to be taken is the local custom—this is common for all; and in the case of other evidence what was said previously was, that the land should have been let as private land before 1898. Because in 1908 they thought that all documentary evidence subsequent to that date must have been put in with a view to evade the provisions of the Act which the Government thought of introducing in 1897 and so some zamindars might have thought of taking some documents in anticipation of the coming Bill. Now you have introduced the question of inams into this Act. There are two classes of it: certain inam village which had already come under clause 2 (*d*) and these that are covered by the provisions of the present Bill. But, the clause as it stands, did not make any mention of 2 (*d*) so far as evidence of documents before 1898 or 1918 is concerned. Sir Archibald at the time of introducing the Bill thought that he ought to make some provision and he did make a provision saying that all evidence which came into effect before 1898 should be evidence in all cases and in the case of those estates which were brought under this Act, evidence before 1918 should also be considered. What is wanted is a like provision which Sir Archibald wanted to introduce at the time he introduced his original Bill. This point was raised at the meeting of the Select Committee and we thought that the matter would be discussed with the law officers of the Crown. But no such thing seems to have been attempted. There are three kinds of evidence, (1) local custom, (2) documentary and (3) other evidence. So far as number (2) is concerned, you have excluded in the case of estates coming under clause 2 (*d*). You may introduce some clause for 2 (*d*). All that we say is that so far as lands under 2 (*d*) are concerned those documents which came into force before 1st July 1918 should be taken in evidence. It may be said that clause 3 covers

it. If it covers it, it covers the whole thing also. But if you introduce (2) only for other estates it seems to show that you have excluded 'all such evidence' in the case of inams which would come under 2 (*d*). Then there are a number of provisions which say that all documents which come after the 1st day of July 1918 have no value and which also say that all documents which were executed before 1918 shall not be conclusive evidence provided it has been admitted in evidence before 1918. This amendment does not seek to alter the whole scheme of the Act or anything of the sort. It is an amendment which was intended to be originally incorporated in the Act and we ask that it be included in the Act now."

* The Hon. the PRESIDENT:—"May I take it that the Hon. Member is not moving his amendment?"

Mr. P. PEDDI RAJU:—"No, Sir."

* Sriman M. G. PATNAIK Mahasayo:—"Section 185 deals with evidence let in with regard to private land. There my friends want to introduce that proviso. I cannot really understand this amendment at all because this specifically deals with the whole inam villages which are not estates now. They are going to become estates under the Act. That is to say in such a whole inam village there cannot be a private land at all. The whole village belongs to the inamdar. So there cannot be any distinction between ryoti land and private land. All lands were held absolutely by the inamdar. Therefore how can a distinction be made? My friends may not like the expression. But this is also a very very dangerous amendment because the whole village would come under that. Supposing the whole village was let out as the inamdar's property. That means the whole village is sought to be treated as private land. I submit this is a very very dangerous amendment and cannot be accepted. In a different form the same thing appears as amendment 16 to clause 7. I do not see how this amendment differs materially from the amendment which was rejected. As 16 has been rejected this also ought to be rejected. I must submit in spite of the protests of my hon. Friend this is a very very dangerous amendment sought to exclude whole inam villages altogether from the scope of the Act."

Mr. P. PEDDI RAJU:—"If there is any doubt that we are actuated by any motive I think we have no objection to omit those words as it is in the original Bill itself. I am only saying that the language adopted by Sir Archibald Campbell can be adopted."

* The Hon. Sir CHARLES SOUTER:—"I think, Sir, that it would be better to keep the wording as it is now. This wording was adopted after consultation not only with the Law Department of the Secretariat but with the Advocate-General. As we are now dealing with inams which have been brought under the scope of the Act in consequence of the decision of the Privy Council, I think myself that we ought to differentiate between inams which came under the Act before and the inams which are now brought under the Act. I think, Sir, although I can

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see a certain amount of force in the arguments of my hon. Friends, on the other side, there is an element of danger in accepting the amendment and on the whole I consider it better to preserve the wording which our law officers have recommended and which we have adopted than to make any change now. I think we must oppose it now."

* Mr. T. C. SRINIVASA AYYANGAR:—" It is a strange situation in which we find ourselves. I thought there could be no misconception at all. Let me make myself clear. It is said that the benefits of the Estates Land Act, such as they are, must be extended to the inamdars also. The provision in the Bill regarding the evidence violates the said object. It is quite clear, and that is not controverted, that a great deal of the existing rights of the inamdar are, in view of a so called public policy, taken away. The inamdars ought not to be subjected to any unnecessary difficulties in proving their rights and placed in a worse position than the other landholders, viz., zamindars. I am afraid the Hon. the Revenue Member has not paid that attention, I say so with great respect to him, that the subject undoubtedly deserves. We brought to his notice during the discussion in the Select Committee the difficulties in this connexion. I read a passage from the minutes of the proceedings: 'Mr. Peddi Raju pointed out that estates coming within the meaning of sub-clause (*d*) had not been referred to in sub-clause (*a*). Mr. T. C. Srinivasa Ayyangar proposed that in respect of private lands in inams which are newly converted into estates now, leases of lands as private lands up to 1918 should be admissible in evidence. The Hon. the Revenue Member replied that he would consult the Advocate-General on the point. If any amendment was necessary, it could be moved by Mr. Peddi Raju or Mr. Srinivasa Ayyangar in the Council.' Now what is wanted is not to enhance the right or enlarge the rights or to attempt to engraft any presumption to confirm rights where there might be any dispute. No substantive right is interfered with. No procedure which has not been found in the Act already is wanted. What is wanted is the avoidance of the curtailing of the field of evidence. Inamdars must have the liberty to adduce the evidence now open to the zamindars to let in. My friend the expert Member went to the length of trying to find out very curious reasons to urge in opposition. He referred to amendment No. 16, item 7, and attempted to oppose this amendment as being covered by it. Amendment No. 16 dealt with the case of rights. This amendment deals with evidence to prove rights. He says this is barred. I cannot understand him at all. Now, really, not only are the rights taken away, but even the few rights left are sought to be made impossible of being proved, by shutting out evidence."

* The Hon. Sir CHARLES SOUTER:—" With the House's permission I should reconsider this a little further. I think perhaps in the case of 185-*A* (2) (*c*) there may have been a slight mistake. If we omit there those cases of inams under (*d*) which did come under the old Act and if the House would permit me I shall have to consider further whether we

cannot have a slight redraft and if you agree, Sir, for the further consideration of these amendments until after luncheon I might be able to consider them."

Mr. T. C. SRINIVASA AYYANGAR:—"I heartily second it. I hope my Hon. Friend will consider the scope of the amendment which we move which is not in contravention of the principal Act but which is a reproduction."

The House agreed to the consideration of clauses 9 and 9-A being postponed.

Clause 13.

Clause 13 was put and carried.

Clause 9-A.

New section 185-A.

The Hon. Sir CHARLES SOUTER:—"There are some amendments in between under clause 9-*A* which we intended to take, Sir."

Mr. T. C. SRINIVASA AYYANGAR:—"Clauses 13 and 16 you will be pleased to see are really consequential to the previous main clause."

The Hon. Sir CHARLES SOUTER:—"We might go on straight to 9-*A*, that is the question of compensation and tribunal."

Mr. C. RAMALINGA REDDI:—"I suggest that the question of compensation might be taken up now."

* The Hon. the PRESIDENT:—"It was suggested by Mr. Srinivasa Ayyangar that all these might be taken together. However if it be so desired to proceed now with clause 9-A it can be done."

* Mr. T. C. SRINIVASA AYYANGAR:—"If you will kindly look up sub-clause (*c*) of clause 9-A and parts 1 and 2 of the second proviso, you will see that they have some relation. The question of special tribunal and the question of quantum of compensation are detachable for consideration. Even in clause 9-A we will have to defer consideration of one or two amendments."

-15 .m. * The Hon. the PRESIDENT:—"We shall take up clause 9-A and dispose of such of the amendments the consideration of which need not be deferred."

* Mr. T. C. SRINIVASA AYYANGAR:—"Sir, so far as the first part of my amendment, viz., '*for* the words "(i) to (iv)" *substitute* "(i) to (x)" ' is concerned it would not arise now in view of the determination of my previous amendments.

"So, I beg to move in new section 185-A (1)—

'For *the words* "*two years*" substitute "*three years*".'

"Here, within two years the landholder will have to go before the tribunal for the purpose of establishing that he had the kudivaram right, and get a declaration to that effect. In view of the fact that the inams

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are so minutely subdivided and the fact that many of the holders may not be exactly in the villages concerned, and in view of other similar causes, I decide that the period should be three years instead of two years.''

Mr. K. A. NACHIYAPPA GOUNDER :—" I second it."

* The Hon Sir CHARLES SOUTER :—" I do not think that this amendment can be accepted. It seems to me that a period of two years is ample time within which the landholder can act if he wishes to approach the tribunal. This is one of the points on which determination is more urgently necessary than even in that case falling under the omitted clause 8. Here, we have the crucial point as to whether the kudivaram vests in the landholder or not, and, if the landholder really values his right of kudivaram, surely he can in two years take such action as will have his right determined. To make it three years simply prolongs the uncertainty which must exist between him and his tenant, and I think it is unnecessarily long. This period of two years was a compromise in a way, because our original proposal was that it should be done within one year as a good many of us thought that one year would have been sufficient. I think as we have so far given way to inamdars' representatives by adding one more year than what was intended originally, we cannot go any further. So, I must oppose this amendment, Sir."

The amendment was put and lost.

* Mr. T. C. SRINIVASA AYYANGAR :—" I beg to move—

' For *the words* " *special tribunal constituted as hereinafter provided,*" substitute *the word* " *Collector* ".'

" The reasons are that the special tribunal may be sitting in a particular place in the centre of the district. These inamdars are distributed all over the countryside. The cost of going with witnesses, will be heavy. So we will be quite satisfied with such decision that the Collector may give after such enquiry that he may make."

Mr. K. A. NACHIYAPPA GOUNDER :—" I second it."

* The Hon. Sir CHARLES SOUTER :—" I am afraid I cannot possibly accept this amendment. By this special tribunal I mean not only one tribunal sitting for the whole Presidency. But I hope that a special tribunal, under the terms of the Bill as it will be after the amendments I propose have been accepted, can be set up at any time and at any place as occasion arises. And we propose one thing, that the decision of the special tribunal shall be final. In other words, we propose here to avoid litigation as much as possible. But if we are going to substitute the word ' Collector ' which means under the Act, the Revenue Divisional Officer, I do not think that litigants are going to be satisfied with his decision as to whether the kudivaram vests in the inamdar or not. They will certainly demand an appeal to some higher authority. Even then,

I very much doubt whether the inamdars would be content with the District Collector. They were certainly not satisfied with the very many things conceded in deciding the issue as to whether land is private land or not. I think myself that once it is agreed that the idea to have a special court is necessary to try this issue as to whether the kudivaram does or does not vest in the inamdar, it is better to have a tribunal of this kind which is of sufficient authority to give a final decision. So, I am opposed to this amendment."

* Mr. T. S. RAMASWAMI AYYAR :—" We see that in very many cases that are decided to-day under the Estates Land Act, the Collector is the authority who hears them. It is surprising that the Government should say that in the case of disputes between the inamdar and the tenant alone there should be a special tribunal. What is the speciality about these inamdars and their ryots, I am not able to comprehend. The inamdars and their ryots are as normal people as the zamindars and their ryots, and if the disputes between the zamindar and the ryot could be disposed of in the ordinary way, why should the same kind of disputes between the inamdar and his tenant not be decided by the Collector, and what is the idea in refusing a right of appeal in inam disputes. Don't you provide appeals even for very small matters under the Estates Land Act with regard to disputes in estates? Why should that right of appeal which a person would like to have be affected in the case of inamdars and their tenants? Ordinarily, a person who is dissatisfied with a decision when he has got his claims to be satisfied between himself and his landlord or tenant would like to have the dispute settled by the Collector who is the revenue authority in the district. Why should that normal procedure be not followed in the case of inams? "

The amendment was put and lost.

* The Hon. Sir CHARLES SOUTER :—" I beg to move—

'*In sub-section* (1) *in line* 16, for *the words* " *the special Tribunal* " substitute *the words* " *a special Tribunal* ".'

" Sir, it bears out the point I made some time ago that there will not be only one special tribunal for the whole Presidency but that a special tribunal may be constituted as and when required."

Mr. P. V. KRISHNAYYA CHOUDARI :—" I second it."

Mr. T. C. SRINIVASA AYYANGAR :—" The Council have already decided to go in for a special tribunal. This is only a change in the phraseology."

The amendment was put and carried.

* Mr. T. C. SRINIVASA AYYANGAR :—" I think, Sir, my amendment No. 40 except that part which seeks to omit clause (*c*) may not arise in view of the prior decision."

The Hon. Sir CHARLES SOUTER :—" That, Sir, I suggest, may be taken up after lunch."

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* The Hon. the PRESIDENT:—" The Hon. the Revenue Member may move his own amendment."

* The Hon. Sir CHARLES SOUTER:—" I beg to move—

'*In clause (a) of sub-section* (2), *after the words* " *special Tribunal* " insert *the words* " *or special Tribunals* ".

'*In clause (b) of sub-section* (2), for *the words* " *Such Tribunal* " substitute *the words* " *Every such Tribunal* ".'

As I said, special tribunals may be constituted anywhere and as occasion arises by Government. The second part of my amendment makes the position clear that the tribunal can be constituted from time to time."

Mr. P. V. KRISHNAYYA CHOUDARI:—" I second it."

The amendment was put and carried.

* Mr. T. C. SRINIVASA AYYANGAR:—" I believe amendment No. 42 also deals with evidence regarding both varam land. It may also wait."

* The Hon. Sir CHARLES SOUTER:—" If I may say so, we may take that up with amendments Nos. 31 and 33."

* The Hon. the PRESIDENT:—" The Hon. the Revenue Member may move the last part of the amendment."

* The Hon. Sir CHARLES SOUTER:—" I beg to move—

'*In clause (d) of sub-section* (2) *in line* 2, for *the words* " *the Tribunal* " substitute *the words* " *a special Tribunal* ".'

" That bears out the point already mentioned by me."

Mr. P. V. KRISHNAYYA CHOUDARI:—" I second it."

The amendment was put and carried.

* The Hon. the PRESIDENT:—" Then we come to the compensation clause."

New section 185-*B*.

Sub-section (2).

Mr. C. RAMALINGA REDDI:—" Sir, I move the amendment standing in my name, viz.,

' Omit *the words* " *two and a half times* ".'

If this is carried, the wording will be ' such amount not exceeding the annual rent.' I am only proposing to restore the measure to its original state. From the discussion we had yesterday, it is quite clear to me that Government do not consider any compensation as absolutely necessary and called for in this particular case. I was under the impression that the leader of the Opposition also was perhaps of the same kind. In any case I am here to support the principles of the Karachi programme where there are two boons offered to the agricultural classes, firstly security of tenure and, secondly lowering the burdens on land, more

especially on the tenantry. From both these points of view I must support not merely this Bill but this reduction of the compensation from 'not more than two and a half times' to 'not exceeding the annual rent.' I do not know why the Government, who in their first measure did not provide for compensation at all, but had to make some provision on account of objection taken by the Government of India, did not adhere to the provision they originally introduced, but agreed in the Select Committee to have it passed in this manner. In these days, on account of depression and the general poverty of the masses, I feel that any compensation for security is not really justified, but to raise it to two and a half times is to demand an exorbitant payment which will render this Act, so far as the tenantry are concerned, more an engine of exaction rather than a beneficent measure. I do not think that such compensation is called for. I would regard security of tenure as one of the elementary rights to which the tenantry as under the estates are entitled to. I therefore commend this amendment to the sympathetic approval of this House."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, in seconding the motion moved by my hon. Friend, Mr. C. R. Reddi, I just want to mention to the House one thing. Already the ryots are very heavily burdened and they are not in a position to pay any compensation. We are personally against any compensation, but His Excellency the Governor-General has ordered that some compensation ought to be given. This House has therefore no altenative if it is anxious to pass this legislation. I may mention here, Sir, if I am not disclosing anything that took place in the Select Committee—I moved an amendment in the Select Committee to fix Re. 1 as compensation. But somehow several people felt that it was not desirable to so fix it and hence I have now perforce to agree to 'the annual rent' as compensation. In this connexion it has also been stated that we have also differentiated between the Estates Land Act and the Inams Bill, in that under clause 6, we have provided that fair and equitable rent means rent which was paid in 1933. In the Estates Land Act we have a provision for the purpose under section 28-B. Thinking that it is not sufficient, the Government, while laying down one year's rent, have provided that increased rent shall be given in certain circumstances. This has been done for the benefit of the inamdars. As such this one year's rent is quite sufficient as a maximum."

* The Hon. the PRESIDENT:—"Is it not desirable to have a discussion of all the amendments which have a bearing on this point together in order to avoid overlapping and repetition of arguments."

Mr. C. RAMALINGA REDDI:—"May I humbly suggest to you to allow discussion to be general without having these amendments moved regularly, so that if this amendment is carried, the others would not arise at all?"

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The Hon. Sir CHARLES SOUTER :—" That is what I was also going to propose."

* Mr. T. S. RAMASWAMI AYYAR :—" Sir, there are other amendments also to the same section. This amendment moved by the hon. Member from Chittoor suggests a smaller amount of compensation than has been recommended by the Select Commitee. There are other amendments to increase it, or to put payment of compensation on some understandable basis instead of at any definite figure. Therefore I feel that there is a case for the other amendments also being put forward. For example, there is my amendment lower down which says: ' regard being had to the market value of the kudivaram interest in the lands or in lands of such description and quality in the neighbourhood.' It cannot be said that this amendment is inconsistent with the one moved by my hon. Friend, Mr. Ramalinga Reddi. It may be inconsistent in fact, but in theory it cannot be said that it is inconsistent. The amendment I would be moving later on refers more to a matter of principle involved than to the amount of compensation payable. I have specific grounds to urge in support of it. Therfore merely because the amendment to omit ' two and a half times ' has been moved and seconded, and even carried, I should not be precluded from moving my amendment."

* Mr. T. C. SRINIVASA AYYANGAR :—" Sir, Mr. C. R. Reddi's amendment and the amendment I have given notice of (No. 46) may conflict with each other. The Bill as reported upon by the Select Committee awards compensation and says that it shall not exceed two and a half times the annual rent. Mr. C. Ramalinga Reddi wants to reduce it. The other amendments lower down on the agenda want to increase it. If this amendment is discussed and debated upon, it will be within your province, Mr. President, to rule in or rule out the others once the principle of reduction is agreed to or refused. Therefore I submit amendments which bring in an element of increase cannot be discussed along with one for reduction. How can we discuss yes and no together? It is impossible. I quite see that the other amendments automatically go out if Mr. C. R. Reddi's amendment is passed. Can we discuss all these amendments."

* The Hon. the PRESIDENT :—" That is why I suggested that these amendments might be discussed together and if one is disposed of, the others would go. If this course is not adopted, hon. Members will have no opportunity of discussing the whole matter."

* The Hon. Sir CHARLES SOUTER :—" May I suggest that on this motion of Mr. C. Ramalinga Reddi, those who intend to move amendments Nos. 45 and 46 and also Messrs. K. A. Nachiyappa Gounder and P. C. Muthu Chettiyar, may be allowed to give reasons for their amendments as general arguments for or against the motion of Mr. C. Ramalinga Reddi. It would naturally follow then that if Mr. C. Ramalinga Reddi's motion is carried, the others will automatically be ruled out."

* The Hon. the PRESIDENT:—"But a difficulty will arise if the motion of Mr. C. Ramalinga Reddi is not carried."

Mr. T. C. SRINIVASA AYYANGAR:—"Then each one of the subsequent amendments will have to be put."

* The Hon. the PRESIDENT:—"That is why I say that all the concerned amendments may be moved formally and a general discussion allowed on the whole thing, and if the first amendment is carried there will not be any necessity to discuss the others separately."

* Mr. T. C. SRINIVASA AYYANGAR:—"I bow to your ruling, Sir, and I move—

> 'For *the words* "*not exceeding two and a half times the annual rent payable in respect of the land as may have been agreed to by the landholder*" substitute *the words* "*the market value of the kudivaram rights in the land*".'

If the Council does not accept this, I will move the others one after the other? Moving all these items one and the same time would be incongruous.

"I also move—

> 'For *the words* "*not exceeding*" substitute *the words* "*not less than*".'

* The Hon. the PRESIDENT:—"Without developing a bargaining mind, the hon. Member will do well to choose that amendment which he thinks most suitable."

* Mr. T. C. SRINIVASA AYYANGAR:—"No, no. I am not bargaining. When the property is being lost, let me get even the least that the Bill gives. Sir, these amendments will have to be voted separately. But if Mr. C. Ramalinga Reddi's amendment is discussed, we will be in a position to see whether there would be any occasion for any or all my amendments. We are on the opposite extremes: he wants to pull it down and I want to pull it up. How can we both go together?"

Mr. T. S. RAMASWAMI AYYAR:—"So far as I am concerned, I can move my amendment without taking up much time."

* The Hon. the PRESIDENT:—"Then, the amendment of Mr. C. Ramalinga Reddi to omit the words 'two and a half times' will alone be discussed now."

Mr. C. RAMALINGA REDDI:—"Sir, if you will allow me, and the House has no objection, I should like to have my amendment slightly altered. I think the Hon. the Revenue Member would be disposed to view it favourably if we make it definitely equal to the annual rent instead of leaving it indefinitely as 'not exceeding' giving a kind of discretionary power to the authorities. I therefore request that it be so worded as to read 'an amount equal to.' This is an agreed amendment. It really benefits the inamdar more than the amendment first suggested."

* The Hon. the PRESIDENT :—" The amendment for the discussion of the House is this :—

> ' For *the words* " *such amount not exceeding two and a half times* " substitute *the words* " *an amount equal to* ".'

" That amendment is for the discussion of the House." 12-4 p.m.

Mr. T. C. SRINIVASA AYYANGAR :—" If you so please, Mr. President, you will kindly ask the Hon. the Revenue Member to speak."

The Hon. Sir CHARLES SOUTER :—" Personally I should like to hear what Mr. T. C. Srinivasa Ayyangar has to say on the subject."

* The Hon. the PRESIDENT :—" If both of the hon. Members are anxious to hear each other, then we have to call upon a third Member to speak."

* Mr. T. S. RAMASWAMI AYYAR :—" Sir, not having been a Member of the Select Committee at any stage and not having been a party to bargaining, I am free to express my views. I see, Sir, that this amendment is intended to nullify the agreement that was arrived at in the Select Committee. I do not know what principle is involved in the amendment moved by my hon. Friend, Mr. C. R. Reddi. He referred to the Karachi decision and not the principle of law under which this amendment should be adopted. If the amendment intends to put this Bill on the basis of a specific Karachi decision, and the Government accepts it I can have no quarrel. But I feel there must be some principle involved in giving compensation in a case like this. I find from the Statement of Objects and Reasons that the Bill has been vetoed by His Excellency the Governor-General because he found that there was no equitable compensation provided in the original Bill as passed by this House. Is it now suggested seriously that one year's rental is the amount that represents equitable compensation for the kudivaram right being transferred from one person to another? The hon. Member from Orissa quoted certain decisions of this High Court when speaking on the need for this Bill. Will he be so good as to look at the decisions of this Court with regard to compensation? In the case in I.L.R. 4 Madras, page 367 the question was what amount of compensation should the tenant get in cases arising under the Land Acquisition Act. There a Bench of this High Court valued the tenant's right, I think, at 2/5ths of the value of the land. They apportioned the rights of the landowner and the tenant in the ratio of 2 to 3. I think in a later case, in 36 Madras, they said that the ratio was 3 to 2. In a still later case, in 50 Madras, the ratio was fixed as 2 to 1. These are some of the cases which have dealt with the question as to how compensation should be apportioned between the landlord and the tenant. If you say that the tenant needs the sympathy, it is one thing. But if we as legislators have to say what the landlords' right is under the law and what the tenants' right is, then we will have to fix the ratio based upon some principle. I think mere sympathy will not enable us to come to a judgment on this question. Yesterday the Hon.

the Revenue Member urged this House not to be led away by mere sentiment when discussing the Bill. I want to make it clear that I am second to none in giving relief to ryots. But now it is not a question of giving doles to anybody. An important question affecting people's rights has arisen. A certain person has got property. We say on account of public policy that another person who cultivates the land should be given certain rights in the property. There are decisions of courts which give a guidance in this matter. You may disagree with those decisions of courts and say that they have gone too far. But the courts have gone on some basis. If you want to have a basis, state that definitely. Let it be even less than the ratio fixed by courts. But can you seriously say that one year's rental is equitable? We have heard of persons being cut off with a shilling. The hon. Member from Guntur said, if it was left to him, he will fix compensation at one rupee. Is this a fair way of looking at the subject? If the State wants to give more relief to the tenants, certainly they are entitled to do so. But you cannot do it at another man's expense. It is not like unemployment where the State gives help in the shape of doles. My hon. friend from Chittoor says 'why not.' Sir, it is a big question and I am not as competent as he to deal with it. I only know that we cannot help one person by injuring another. I feel that there is no principle involved in fixing the compensation at one year's rental. In the Select Committee an agreement was arrived at. I do not know how it was arrived at. Having arrived at such an agreement, in the open Council a suggestion is now made by one member to decree the amount of compensation that was agreed to in the Select Committee. Some other members want to increase the figure. I think that bargaining is not a proper procedure to be adopted by a solemn legislative body in deciding upon matters of public policy.

"When the original amendment of Sir A. P. Patro was considered by this House, reference was made to socialism. I do not think that this Bill savours of socialism or communism. It merely creates a number of intermediary landlords as it were, instead of making the State the owner of all property. While we are trying to decide as legislators, we should act judicially. We are now trying to revise the law. What was the original idea of the Bill? The idea was that the decision of the Privy Council having thrown the onus of proof on the tenant had created confusion in inams. It was contended that the onus of proof must be laid on the landlord. I think there is no difference of opinion on that point. But that cannot be an excuse for this Council to enter into various other questions which adversely affect people's rights over their properties. I oppose the amendment."

* Rao Bahadur P. C. MUTHU CHETTIYAR spoke in Tamil and the following is an English summary of his speech:—

"Sir, I rise to oppose the amendment moved by my friend Hon. Mr. C. Ramalinga Reddi. In doing so I beg to place the following [illegible] ill is mainly intended to give

adequate compensation to the inamdars for taking away their kudivaram right in inam lands. His Excellency the Viceroy came to the conclusion that the Bill sought to expropriate certain vested rights of the inamdars and it was but right that the inamdars should be given equitable compensation to those whose rights are expropriated. The Hon. Sir Nirupendranath Sircar, the Law Member of the Government of India was also of the same opinion. I contend that the opinion of these two have also been approved by the Mother of Parliaments. Ever since the advent of the British rule in India no legislature has till now passed any measure which sought to expropriate the rights of individuals. Even subsequently when a score of subjects devolved on the transferred half of the Government as a result of the introduction of reforms such a Bill was not thought of and it is a matter for profound sorrow that a Bill of this nature came before the Council at this stage of its existence.

" The Hon. Mr. Patnaik has cited certain Dharma Shastras and contended that the Bill is harmless. If ever one's property has to be acquired or taken away under certain exigencies there was only one way of compensating the loss sustained and that is by adopting the procedure laid down in the Madras Land Acquisition Act, and *not* by any other means. There it is laid down that the value of the adjoining lands should be taken into consideration besides the verification of the owner's sale deed, the improvements made therein, the present state of the property, etc. All these factors were duly considered and the authorities empowered under the Act are to fix the market value of the land plus 15 per cent of the value as the amount of compensation for taking away the rights of the owner. This award is again subject to an appeal to the District Court. Because all these accepted canons of judicial procedure were not laid down in the Bill, His Excellency the Viceroy has considered that the Bill was nothing more than an expropriatory measure and rejected the Bill *in toto*. As a result of that, a Bill of this nature has come before us and what is the compensation provided for in the Bill? A year's rent as in the Bill introduced which rose up to a maximum limit of two and a half times the annual rent in the Select Committee and again sought to be brought down to an amount equal to the annual rent by the amendment under discussion. The whole matter therefore resolves itself into one of bargain and if so between whom?

" I looked into the Oxford dictionary for the meaning of the word ' Compensation.' It is stated there that it means ' an amount given to make up or make amends.' In other words the compensation awarded should be exactly equivalent to the market value of the land just a the right scale pan in which the article sold is balanced by an equivalent weight placed on the left scale pan. The compensation now proposed in the Bill does not in the least satisfy the definition given in the dictionary. If it is argued that it is only a nominal compensation why not give a pie and be done away with? It is usual now that when lands are given away to charitable or communal purposes

the Revenue Divisional Officers give the owners of the lands a nominal compensation of one anna as a token of their relinquishing all their rights in the lands. Then why not we ask the inamdars to give away their rights as a free gift with *Pan supari* (வெற்றிலை பாக்கு). But the amendment before the House seeks to interfere in the lands purchased by the landholder. He has paid the market value of the land and after purchasing it he has made it into a cultivable land and there is no willingness on his part to relinquisb his rights. In such cases it is but fair that the compensation fixed is fair to both the parties concerned. I may venture to state that even if this amendment is carried and the landholder is asked to part with his lands for a nominal compensation the man who acquires the land will never be prosperous for according to the ancient adage 'ill-gotten wealth is always ill-spent.' My hon. Friend, Mr. C. R. Reddi who sponsored this amendment is no doubt a large-hearted man. He has been educated at Oxford where he won laurels. He has held high positions in the Mysore Government and in this presidency. He is now the Vice-Chancellor of the Andhra University. Knowing as he does that he will not be a loser thereby he has sponsored this amendment. As an accredited leader of the Congress party in this Council and quite in conformity with the prevailing tendency of most of the Congressmen he holds *socialistic* ideals at present. So this house cannot but expect any other view other than the one propounded in the amendment. For one in his posiion it is alright. But how can a poor inamdar like him give away everything for the sake of others? Sir, ever since the Britisher entered this land he has not countenanced revolution or revolutionary methods. But now recently they are slowly giving their unconscious aid.

" In Madura we had recently had a case of taking away the rights of encroachments enjoyed by the people for over 80 years. They spent enormous amounts and took licence for erecting pandals and sunshades in market places. Now they have been ordered to pull down all the encroachments. I ask, are they not the tenants of the Government? If so why were they ousted? According to the present practice a man of 80 years should come and prove that he has acquired the rights of encroachment. May I in this connexion point out the condition of tenants cultivating lands under the Periyar Project. Many tenants of the Periyar have released their lands for some reason or other before the advent of the Periyar system. The Government subsequently auctioned those lands making enormous profits. There are instances where the waste lands held by the people for over 40 years making all the necessary improvements therein to make them cultivable ones have been taken away by the Government. They not only paid the land-tax but also the penalty tax all those years only to find the Government coming in the end to claim back those lands as theirs. They are now being sold for fancy prices fetching Rs. 2,000 to Rs. 2,500 per acre. I ask, Sir, whether the Government propose to give any compensation for those lands?

The Hon. the PRESIDENT:—" Order. order."

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Rao Bahadur P. C. Muthu Chettiyar:—" I will finish soon. I urge, Sir, that when peoples' rights are taken away it is but bare justice that adequate compensation should be paid. As the compensation proposed by the amendment is not at all fair and equitable I oppose the amendment moved by Hon. Friend Mr. C. R. Reddi."

Mr. K. Koti Reddi:—" Mr. President, Sir, with regard to this compensation, if the Government propose to give any equitable compensation for the rights which they are now taking away from the inamdars, I do not think it will be proper to fix it at a uniform rate of an year's rent or for the matter of that ten times the annual rent. If you can arrive at the market value of the right, though it may lead to some litigation and difficulties, I think that will be the best way, if the Government want to be fair as between inamdar and inamdar and inamdar and tenant. If, on the other hand, the Government think that the inamdar has no right in his land and that the tenant has been deprived of his right all these years and that all that is necessary for the present is to satisfy the technical objection raised by the Viceroy, then they are at liberty to fix any amount they like as compensation. If, on the other hand, the idea is to give some sort of equitable compensation, fixing a uniform rate would result in certain inamdars who have been very kind to their tenants and never disturbed them from their holdings for generations together and who have been receiving the same rent which they were receiving 50 or 60 years ago and which according to current values may not be adequate, being mulcted and certain other inamdars who have been harsh and let their lands at competitive rents especially during the high prices period of 1922–30, profiting a great dead even though the compensation is fixed at one year's rent.

" I know that there are inamdars who have not exacted heavy rents for 40 or 50 years; the rent they have been getting is very little. I know certain inamdars have been getting competitive rents; if they get as compensation three or ten times the rent they are at present getting, they may be well compensated. By the existing provisions in the Bill, lenient zamindars will not get adequate compensation. On the other hand, harsh inamdars who have been collecting competitive rents may not suffer under the existing provisions. If the object of the Government is to see that this law is passed and gets the assent of the Viceroy, they are at libery to fix any compensation they like. But if the idea underlying this legislation is to give equitable compensation, to fix it at five or ten times the annual rent will not be suitable. The only reasonable and equitable procedure will be to leave it to the courts of law to fix the market value of the land. 1-15 p.m.

" There is one other point which I wish to bring to your notice; there may be certain cases where on account of disputes between the landlord and the tenant, there may not be any fixed rent. Then how are you going to fix the amount of compensation? The Bill says that

the ryot should get the occupancy right by paying compensation equal to the annual rent. It may be that the amount of rent may be in dispute; it may have to be settled in future. Difficulty may arise in cases like that. I think the Government should make provision for such contingencies. My hon. Friend, Mr. Choudari, who is said to champion the cause of tenants, says that even at the Select Committee stage they wanted to fix the maximum amount of compensation, say Rs. 5 for dry lands and Rs. 20 for wet lands. If that is accepted by the House, I think it will benefit a large number of inamdars including myself. At present I know that a large number of inamdars are not getting more than four annas from an acre of dry land and 4 to 8 rupees from wet land. In certain instances where the inamdars have been getting competitive rents, even if you fix the compensation as one year's rent they will be getting Rs. 30 or Rs. 40 for wet land and Rs. 5, if not more, for dry land. I want the Government to make their position clear in this matter. If they wish to fix equitable compensation, then they must fix as compensation the market value of the land. Most of us are quite willing to confer the occupancy right on the tenant for the sake of affording them security of tenure; it is useful in itself apart from any considerations as to the amount of compensation. Since discretion is given to the Collector according to the Bill as amended by the Select Committee to fix the compensation up to $2\frac{1}{2}$ times, he may take into consideration each inam land individually and fix the compensation as a little more than zero in the case of rack-renting inamdars and $2\frac{1}{2}$ times the rent in the case of sympathetic inamdars. If you give discretion to the Collector, it will be useful in some cases."

* Sriman M. G. Patnaik Mahasayo:—" Mr. President, Sir, the question of compensation is the most important thing to be considered in regard to this Bill; all other provisions of the Bill have been considered previously and this is the first time when the question of compensation is coming up for consideration. No provision was made in the last Bill for the payment of compensation; the Government are making provision in this Bill only, for the payment of compensation. The wording used by the Governor-General in returning the Bill is this:—

'I desire at the same time to make it abundantly plain that this conclusion is in no way based on opposition, and implies no opposition to the proposition that the tenants of inamdars should be placed in a position enabling them to acquire occupancy rights and that I have been constrained to withhold my assent from the present measure by reason only of the fact that it fails to provide equitable compensation for the inamdars whose rights are affected thereby.'

You have to interpret the expression 'equitable compensation.' Does that expression mean market value or any compensation to be paid under the Land Acquisition Act? If that was the view of His Excellency the Viceroy, he would have clearly mentioned it, that the market value should be fixed as compensation. He only wanted that equitable compensation should be given. What is equitable compensation? Of course the idea is that the ryots should be in a position

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to acquire the occupancy right. That is, compensation should not be so high as to disable the ryot from acquiring the occupancy right. If it is placed at so high a level as not to enable the ryot to acquire the occupancy right, then it cannot be called equitable compensation. At the same time it should not be so low as to injure the inamdar. It must be equitable to both sides. It should not be the pound of flesh which the merchant or the chetti would insist on; that is, the market value. Taking all these facts into consideration, a certain amount has to be fixed. How is that amount to be fixed? It should not be fixed with reference to what value the land will fetch. I do not think that it will fetch any value. It must be fixed with reference to the income from the land, with reference to the margin of profit that will be left to the ryot. Let us take into consideration what profit the ryot would make from a land of this sort. There is section 28 of the Estates Land Act which says that the rent paid during the previous fasli should be regarded as fair and equitable rent. Of course, our friends, the inamdars' representatives, were not satisfied with that clause in the Act. They wanted a new clause to be added as a proviso. It is stated in the Act that rent or rate of rent for the time being lawfully payable by a ryot shall be presumed to be fair and equitable until the contrary is proved. The inamdars' representatives wanted a special provision to the effect that the rent payable on 1st November 1933 should be considered to be fair and equitable. That amendment was given notice of at the instance of inamdars. My friend, Mr. Krishnayya Choudari, has given notice of an amendment to the effect that that proviso should be deleted. If the inamdars' representatives would support that amendment, then they would be quite sincere in their statement, and my statement would be incorrect. If they are going to oppose that amendment, it will go to show that my statement is correct. They wanted that the rent that was payable on 1st November 1933 should be treated as fair and equitable. That shows that the rents were very high. Of course as you know, the produce of the land is paid as rent in these inam villages. The Hon. the Revenue Member referred to the economic condition of the inam ryots; his opinion is that it is very miserable. All these facts go to show that they are paying very high rate of rent. Half of the produce of the land goes to the inamdar; out of the other half the ryot has to meet the cultivation expenses. As you know, the ryot is always indebted because he is not able to make both ends meet. After meeting his cultivation expenses he gets nothing by way of living wages. I think he will prefer to work as a day labourer if he can get work every day. I do not think the inam ryot is earning even one anna a day."

Mr. T. C. SRINIVASA AYYANGAR:—"In what part of the Presidency?"

* Sriman M. G. PATNAIK Mahasayo:—"In Ramnad and Setuband. I do not think conditions are different in different parts of the

Presidency. Then, how do you account for the chronic indebtedness of the ryot, if he gets enough to live? I think the ryot is always indebted because he does not get enough to support himself and his family. That is the real reason. If he gets one anna a day, he will be perfectly satisfied. He gets practically nothing after he meets the cultivation expenses. He cultivates a small extent of land; as such, the margin of profit is practically nil. Mr. Koti Reddi said that they are paying cash. If cash is being paid, it is a different matter. In all the villages rent is paid in kind only.

(After Lunch —2-30 p.m.)

* Sriman M. G. PATNAIK Mahasayo:—" When the House rose for lunch, I was just stating that the ryot has no margin of profit left to him at all and that the kudivaram could not be valued at all. If it is to be valued, it must be valued at zero; but the requirements of the Viceroy's communication have to be satisfied, and some procedure has to be adopted. The Government in their original Bill adopted one year's rent as equitable compensation. Probably it was thought that, on account of the depression, if a higher value was fixed, the ryot would not be able to meet it and would not be able to acquire the occupancy right at all. But in the Select Committee a wider margin was given for determining the compensation and the maximum was fixed, while the minimum was left to the discretion of the officer concerned. Which of the two should now be accepted is a matter for the House. I am sure of one thing, that very many cases of compensation won't come up, because now that the burden of proof lies on the inamdar to show that the kudivaram also vests in him, he has got to establish it before the special tribunal; and after that is established, the compensation question will arise. If the ryot's capacity is taken into consideration, I think the compensation ought to be as low as possible. So far as the market value is concerned, I must say that there is practically no market value at all, since the kudivaram as such could never have been sold. Both the varams belonged to the inamdar, and if he sold any portion, he could have sold both and not the kudivaram alone. Therefore, I say there is no market value; and if at all the market value is to be determined, it must be determined with reference to the adjoining lands. There again, the adjoining lands may differ from this land in their tenure, and therefore they won't be a sure guide.

" Some one or two High Court cases have been referred to by my Friend, Mr. Ramaswami Ayyar; in my opinion those cases have no bearing on this point; they have not laid down any definite principles, as was explained by the hon. the Advocate-General at the Select Committee meeting. In one of the two cases cited, it was held that three-fourths of the value should go to the tenant, while in the other case it was held that only half should go to him. It all depends on the rent that is payable. If it is a very heavy rent that the tenant has to pay, the major portion of the market value of the entire property will go to

the zamindar; but if the zamindar takes a low rent, only a very small portion will go to him. Each case has to be decided on its merits. My Friend has simply read the placitum and has not gone into the cases in detail. If he had done so, he would have found that there was no general principle laid down there. Supposing in an inam village Rs. 3 is paid as rent for one acre of land; then 20 times or 25 times the rent will go to the zamindar, i.e., Rs. 60 or Rs. 75; and the balance will go to the ryot. But supposing the rent is Rs. 100, then the ryot will get nothing, because the value will go up to Rs. 2,000. Therefore, I say it all depends on the rate of rent that is paid. In these circumstances, these rulings which have been quoted are no guide to us, and we may ignore them altogether. Let us not waste our time over those rulings. Of course, Sir, I am not opposed to the motion of my hon. Friend, Mr. C. R. Reddi."

* Mr. T. C. SRINIVASA AYYANGAR:—" I am afraid, Mr. President, that the Hon. the Revenue Member has in effect non-co-operated apparently in view of the changing opinions expressed on the matter. The mover of this amendment relied entirely on the resolution of the Karachi Congress. The shadow of the Congress is apparently on the hon. Member, and that is why perhaps in spite of my request and your suggestion, he would not come forward at the early stage of discussion and say what the view of the Government is. Apparently he is trying to change and agree with the view of the mover. I am amazed and amused at the wonderful one year's compensation. I can't help admiring the fortitude with which the Congress representative, Mr. C. R. Reddi, reconciled himself with the compensation idea at all, and his conciliatory spirit in improving his ' not more than one year's rent ' to ' an amount equal to one year's rent.' It is a tremendous and a very generous effort on his part for which he may expect me to thank him on behalf of the inamdars. Even the inamdar has some sense of humour in him. Even the inamdar will be happy to see both the co-operators and the non-co-operators—the Government and Mr. C. R. Reddi—marching together. There should be a day of thanksgiving to celebrate that event. I am not myself a Congressman now for the past fifteen years; still I and my other friends here may also be tempted to become his lieutenants, when Sir Charles Souter walks into the Congress camp, led by Mr. C. R. Reddi. I do not know what the Congress itself will say on this matter; I very much doubt if the Karachi Congress wanted expropriation; the Karachi Congress wanted many other things. It wanted to have independence—independence of the British Government, and I do not know whether all that will go down the throat of the Hon. the Revenue Member. Apparently, as I said, he is keeping something up his sleeves and we will hear it in due course. In the Select Committee, Sir Charles Souter felt the one year's rent to be inadequate as compensation. It was raised to an amount not exceeding ' two and a half years' rent.' The Congress Member on the Committee agreed to the same. Even the two and a half years' rent is utterly inadequate. I have been repeatedly saying that inam tenures are diverse and rates of rent and

the conditions are various. There are inamdars and inamdars; there may be inamdars of the rack-renting type dolefully depicted by the hon. the Expert Member. There are inam villages where light rents are charged, fixed and regulated by local usage. Rent varies according as the land is wet or dry. Dry lands pay very light rent. Dry lands are in great demand, if commercial crops are grown. Any arbitrary fixing of compensation by a number of years' rent will be advantageous to rack-renters and otherwise to those who do not oppress the tenants. Even a casual investigation will amply bear out what I stated. I assure the House that this provision of one year's rent as compensation is so contemptuous. We lawyers who are familiar with cases for damages, we know of exemplary damages and contemptuous damages. Now, in a matter regarding proprietary rights, the compensation measured by one year's rent is so infinitesimally small, so illusory, and so contemptuous that it is impossible to understand it, unless it be contemplated that it should be equivalent to no compensation in substance but that there should be something on record as compensation just to satisfy the letter of the Viceroy's notification vetoing this precious Bill, but certainly not to satisfy, in any way, the spirit of the notification.

"Sir, the Viceroy's veto has been read several times; curious interpretations were put on it; the Expert Member has added his interpretation. But I cannot find anything in the notification of the Viceroy's veto which compels this Government to go on with this legislation or shows that the Viceroy agreed with everything in the Bill except for the omission to provide for compensation. Nor is there anything to suggest the basis for compensation, whether it should be one year's rent or anything more or less than that. We are all familiar with the word 'compensation.' It means some recompense to the man whose right is taken away for the loss that it involves. One year's rent is certainly no compensation. In two cases at least where the question of apportioning compensation between the two interests which were held by the landholder and the tenant in lands in which the kudivaram resided in one and the melvaram resided in the other, the Madras High Court held in one case that the apportionment must be two to one—that is, two parts to the ryot and one part of the compensation amount to the landholder; and in another case, three-fifths and two-fifths. In both the cases, the value of the kudivaram interest was held to be higher than the value of the melvaram interest. Now, I think the matter is so simple that it would be improper on my part to detain the Council at any great length. I cannot help remembering what the Hon. the Revenue Member on two previous occasions in the course of the present discussions, mentioned, that the general sense was against compensation altogether. For reasons inexplicable, some influential members have expressed so. I say the hon. Mover should not be influenced by the view but should oppose the amendment. The effect of the amendment is nothing less than deprival of right without any compensation worth the name. Certainly it is not equitable compensation as the Viceroy directed.

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"The only proper method would be, when a question of compensation is involved, to give the market value therefor. The market value of course differs according to the localities, and depends on the demand for the land, population, the facilities for cultivation, the rates of rent and various other incidents pertaining to tenure, etc. There cannot therefore be a flat rate for all the districts in the Presidency and for all the localities with varying conditions. I therefore oppose this motion, Sir."

* Dr. P. SUBBARAYAN :—"Mr. President, Sir, I am also opposed to this motion. I would not have risen to speak on this occasion if it were not for a word that fell from my hon. Friend, the Leader of the Congress Party, Mr. Ramalinga Reddi, who, I believe, said that I was against compensation. On the other hand, I made it clear that as long as the right of the inamdar to hold both the varams is conceded, what the Government ought to do is, if they believe the Viceroy's refusal of assent was correct, they should provide for adequate compensation; or, on the other hand, if they feel that they are right in their contention that the inam ryots are in the same position as the ryots in ryoti land, they should stick to their original position of no compensation at all. If the Government want to go back and if they think that compensation is necessary, I do then feel that compensation ought to be adequate and ought to be the market value of the kudivaram right and not a mathematical proportion which is what the Government are fixing under the present legislation."

* Mr. P. PEDDI RAJU :—"Mr. President, Sir, in opposing the motion, I want to place before this House a few facts. My hon. Friend, Mr. Patnaik, was saying that on account of the competitive rent the value of the kudivaram is less, because the margin of profit is less. So, Sir, there is no objection to have the market value. Market value of the kudivaram, in case there is competitive rent, will be nil according to him. I would say that, instead of paying one year's rent, pay the market value of the kudivaram. Another argument I would like to advance is this: According to the statistics supplied to the Government in this regard by the West Godavari district, we find that in 1916 an agraharamdar sold his kudivaram to his tenant at the rate of Rs. 400 an acre and a list of such cases has been furnished to the Government. I have got a number of documents in which it is stated that in 1916, at the rate of Rs. 16 per acre—that is the rental fixed—the inamdar himself sold the kudivaram to the tenant for Rs. 400. Again in 1932 in another village at the rate of Rs. 16–3–0 rental, the kudivaram had been sold to a tenant by an inamdar at the rate of Rs. 760 an acre. Therefore, you would ask that particular agraharamdar to take only Rs. 16–3–0 instead of Rs. 760 which he got by means of a contract. Now, I will put this question. If the zamindars themselves who purchase the land at an auction, want to give back the land, the tenants can cultivate the land for twelve years; or they let the land or give away the land at a premium. What is it they could collect? It cannot be one year's

rental, because in some cases they are collecting Rs. 200 or Rs. 300 an acre. I know of one estate very near Ellore where a zamindar sold the land he purchased at an auction at the rate of Rs. 400 an acre. He sold the kudivaram again at Rs. 400. Then why should you make a distinction between one set and another? In this case, what the zamindars get on the lands they purchase is, they could let out the land for 12 years and even after 12 years they can sell at the rate of Rs. 100. When such is the case, why not the inamdars also get the market value for their property? After all, it is a question of one year's rental or two and a half years' rental. You will see, Sir, if the provisions of section 185 are introduced here, it will mean troubles, worries and expenditure to the inamdar before he is entitled to get this one year's rent. That is, he will have to go before a special tribunal and incur expenditure. You take the case of a small inamdar owning four acres of land, and if he wants to get some compensation, he will have to go before a special tribunal, spend at least a thousand rupees and prove his rights against nobody. And when all the rules of evidence and procedure are there, can any fool of an inamdar go before a tribunal and obtain this right? It would therefore be better if this provision is dropped altogether and no compensation is awarded, instead of this nominal compensation to suit the letter of the Viceroy."

* Sir A. P. PATRO:—" Sir, I do not wish to give my silent vote in this matter. In support of the amendment moved by my hon. Friend from Chittoor, I gather he gave one main reason among others, that it was the resolution passed by the Karachi Congress that mainly influenced him to bring forward this motion of one year's rental. After he moved that motion, the hon. Member had some conversation with the Members on the Government benches—I do not know whether they agreed with him or dissented from him—and again moved a further amendment to his amendment to the effect that the compensation should be one year's rental or an amount equal to the annual rent. Now, the position is this. Whether the Government accept all the resolutions of the Karachi Congress including ' non-co-operation ' or only this particular resolution of the Karachi Congress, it is not my concern. As my hon. Friend from Ramnad has put it, we welcome the day when our Front Benches and the Congress party join hands together and go in procession to work the Reforms. That will be a great achievement both for the Congress and this Government. I have respect for the Congress but not to Congressmen of this class. Are the resolutions of the Karachi Congress carried into practice by these Congressmen?

" In this Bill the question is whether the Government say that the inamdar has no right whatever and they are prepared to accept the principle they adopted in the case of zamindari ryots. In the case of the zamindari ryots, occupancy right was conferred by the Estates Land Act and no compensation was awarded. They declared that all cultivating ryots, i.e., ryots who were in possession of land on the date of the passing of the Estates Land Act, would have a right of occupancy.

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If a similar declaration is made in the case of this Inams Bill also, that would be reasonable and justifiable so far as legislation is concerned. But, without doing that or leaving it to the country or the electorate to decide and to say that nominal compensation could be provided, it seems to be preposterous to make this provision. If there is no compensation, —as we did pass the Bill then—it would be a straightforward course and we could stand by that Bill. But, if you want to give compensation, you should give equitable and adequate compensation. If you don't make provision at a proper rate and take away the proprietary right of the inamdar, as the Governor-General has indicated, it is absolute expropriетory legislation. Now, if these premises are accepted, then what is the compensation that you have to decide? Compensation should be paid in a proper measure. There are precedents before us. The latest one was in the case of the decision of the High Court in 50 Madras, where it is stated that compensation should be in proportion to the kudivaram. There is also the Malabar Tenancy Act, which indicates the nature of compensation for a qualified ryot, not to the holder or owner. The third and the most important is, the usual rate that is adopted by Government under the Land Acquisition Act according to which twenty times the value of the produce is given as compensation. In addition to all these three standards before us, there is also this fact to be considered. If Government want to acquire a property to-day which is vested in a ryot for purposes of local administration or provincial administration, what is the compensation that is payable to the ryot? After the passing of this Act, if there are five acres of land under the cultivation or possession of a ryot, if Government want that land for purposes of constructing a road, or for a canal or tank or for any other public utility purposes, you cannot acquire it unless the tenant agrees to it. You cannot do it unless you are prepared to pay suitable compensation. And what is to be the standard of 3 p.m. compensation? It ought to be a fair and reasonable compensation. It may be on the analogy of the compensation which is ordinarily given under the Land Acquisition Act. My position is this: If the Government believe that they are not taking anything from the inamdars or that there is no surrender of inamdar's property in giving away their kudivaram right, then by all means do not pay them any compensation. The ryots should have lands; you adhere to it and do not pay any compensation. That is a straightforward way. I am sure the learned Member for Chittoor, the Vice-Chancellor of the Andhra University, will realize that the question of compensation has come in in spite of the resolution of the Karachi Congress. But I may say at once that the Congress did not adopt this resolution for passing this or that legislation; they did it as a matter of general policy. I have the greatest respect for the Congress organization though not to the men who belong to it. Now, let us admit that we are not under the Congress regime; and their programme does not hold good now. If they have the upper hand and if they come to power then that is the time for

them to launch their programmes. I really cannot understand these conferences and co-operation between the members representing the Congress and the Government in order to arrive at some rate of compensation. For me, now, Sir, it seems as though the Congress has lost credit, although my respect for the Congress has not abated a bit. I am of the view, taking all the facts into consideration, that the hon. Member is not justified in making the motion."

* The KUMARARAJA OF VENKATAGIRI:—Mr. President, Sir, the Select Committee recommended $2\frac{1}{2}$ times the annual rental value as the fair amount of compensation not because they considered that the case deserved it but because they considered that the amount may be paid on the analogy of the old waste. I may say even in the Select Committee, there was stout opposition to this proposal. However, on reconsideration and consistently with the view that we held that at the time of the grant there was no definable right of kudivaram vested in the inamdar, we made provision in the Bill for the just rights of the inamdar by classifying as his private lands certain lands which satisfied certain conditions. Because we feel that the compensation proposed can only be nominal compensation, we support the motion of my hon. Friend, Mr. C. R. Reddi. I am glad to find myself in the company of Mr. C. R. Reddi who represents the Congress. Wherever there is a case for affording relief on equitable grounds to the agriculturists, we do it without having anything painted in bright red. We are always ready, irrespective of theoretical socialism, to accord relief to them. As he has said with reference to some other Bill, socialism though not in theory is finding support from various sections of this House when it is put into an agreeable, just and proper form. That proves that the Justice Party members are inspired by ideals based on practical considerations. They are not mere visionaries. They are keen in their enthusiasm to do good to those who need and deserve it. As I have already said we have always felt that the kudivaram right claimed by inamdars is an undefinable right and by making provision for private lands we have provided for the inamdars' just and definable rights. It is unnecessary to go into that question now because they have been ably dealt with by the Hon. the Revenue Member and the expert Member on previous occasions. We feel that since no right has been taken away, one year's rent is both equitable and fair. It cannot be said that rights have been taken away when none exists. For these reasons, I support the amendment."

* The Hon. Sir CHARLES SOUTER:—"Mr. President, this debate seems to have ranged over a very wide area and as far as I can make out, several hon. Members have been advocating their views for the benefit of their future constituencies. I regret I do not belong to any party and I am certain I am making no electioneering speeches as some of the hon. Members here. I do not think the Mover of the

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motion is quite justified in making me a party to the Karachi resolution. I solemnly assure the House that I was no party to that. That does not mean in any way that some of these resolutions of which I must plead a certain amount of ignorance, may not have been alright. But certainly the object of that resolution was not to help the tenants of inam villages. Was it? No. I am sorry the Congress missed that opportunity.

"We have heard a great deal on all sides of the House on the question of what is equitable. Most of the arguments on the question seemed to come from the inamdars and the matter has been considered, except in one or two cases, mainly from the point of view of the inamdars. Surely this House as a fair body ought to consider also what is equitable for the tenants. To do so, one ought to consider what condition the tenant is in and see whether the tenant could pay the amount that is fixed. Are we going to stultify ourselves by passing an amount of compensation which the tenant could never possibly pay? Surely that is the point that we have got to consider. What is the amount of compensation which we think the tenant can reasonably pay in the circumstances of himself as well as of the inamdar? It is for this purpose that this Bill has been mainly introduced. It has been argued with some vehemence by many members that the proper measure of compensation is the amount which a court would fix as the market value of the kudivaram. If we pass any legislation of that sort, we should simply be introducing an amount of complication which would lead to protracted and costly litigation and would make the compensation worth perhaps nothing at all to the inamdar. How is this market value to be arrived at? Some hon. Members say that it may be on the principles adopted under the Land Acquisition Act. I think every one of us here has had sufficient experience of the working of the Act to know that no decision is final until it has reached the High Court, probably on second appeal; if you are going to adopt some such method of estimating the market value of the kudivaram right of the inamdar or the tenant in any land, we open ourselves to the same sort of litigation and we must avoid that. Several hon. Members advisedly said that my hon. Friend's proposal to adopt one year's rental as the fair amount of compensation was nominal and one said it was contemptuous. It may be contemptuous or nominal to the inamdar; but is it contemptuous or nominal to the tenant? We know many cases in which the tenant would find it difficult even to pay a compensation of a year's rental. If that is so, can this one year's 3-
rental be contemptuous or nominal? Personally I do not think so. P.M.
But those considerations apart, my personal view is and has always been that there ought to be no difference at all between the methods which were adopted in 1908 as regards the tenants and the zamindars and the methods that are to be adopted with reference to the inamdars. This is my personal view and not necessarily that of the Government of Madras. My personal view is that compensation is uncalled for.

I have stated that already in the House. But compensation has to be given. In doing so, our main consideration ought to be the position of the tenant with reference to the inamdar. The tenant after all is the poor man. The inamdar is not. And we have to fix our compensation at such a figure that we may reasonably be certain that, generally speaking, the tenant will be in a position to pay. I suggested in the Select Committee that this compensation should be a sum not exceeding two and a half times the annual rental. The main consideration in making this suggestion was that 2½ times the rental was the amount which the original Act imposed on the acquisition by a tenant of occupancy rights in old waste. This House will see that this is only an analogy. Old waste, as it happens, was of a different category from the land we are dealing with now. We must remember that in most of the cases here the tenants of those lands we have been considering have been in possession of them for a very considerable time. It is not like old waste. It is more like buying land outright in comparison with the ryoti land to which we may compare the present land in which the ryot has to acquire occupancy right. But I am not wedded to 2½ times. In my view the tenant need not pay any compensation at all. But as some compensation has to be given to the inamdar, I am prepared to accept the amendment which my Friend, Mr. C. Ramalinga Reddi has moved to-day and I trust that the House will accept that."

Mr. C. RAMALINGA REDDI:—"I do not propose to reply."

The amendment was put and carried.

Mr. T. C. SRINIVASA AYYANGAR:—"May I know, in view of the fixity of the amount, by the acceptance by the House of the amendment, whether the other amendments will be in order?"

* The Hon. the PRESIDENT:—"They will not be in order because of the decision of the House on this amendment."

Mr. T. C. SRINIVASA AYYANGAR:—"The proviso has to be amended."

Mr. C. RAMALINGA REDDI:—"I request your permission to move the amendment in the proviso to sub-section (2) since the present amendment wants more. I move—

> '*that in the proviso to sub-section* (2) *for the words, "such amount not exceeding two and a half times," the words "an amount equal to" be substituted, and that the words "as he thinks to be fair and equitable" be deleted.*'

"When amended it will read thus: 'may determine an amount equal to the annual rent in respect of the land as the amount payable as compensation.' It is only a consequential and drafting amendment. I move it formally."

The amendment was duly seconded.

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* Mr. T. C. SRINIVASA AYYANGAR:—"May I rise to a point of order? Will you kindly look at clause (2) of 185-B as amended by my Friend, Mr. C. Ramalinga Reddi? That shows that in respect of any land referred to in sub-section (1) on the application of a tenant and on the tender by him as compensation of an amount equal to the annual rent payable in respect of the land, etc. It shall confer upon the tenant a permanent right of occupancy in respect of that land. It is complete in itself. Where is the question of amending the proviso or even the necessity for a proviso? My learned friend may think about it. When the amount is fixed, the proviso will have to go."

Sriman M. G. PATNAIK Mahasayo:—"I think the proviso cannot have a place."

Mr. C. RAMALINGA REDDI:—"The clause just amended says, 'as agreed to.' Supposing there is no agreement, somebody will have to adjudicate. The adjudication will take the form of fixing the annual rent as compensation. I must leave it to the drafting authorities. As I read, there is logical ground for retaining the proviso."

* The Hon. the PRESIDENT:—"Mr. Srinivasa Ayyangar's contention is that there cannot be a dispute with regard to the amount as is provided for in the proviso."

* The Hon. Sir CHARLES SOUTER:—"Sir, I think this proviso is necessary when there is a dispute as to the amount payable as compensation. That of course is dependent on the annual rent. Supposing the annual rent is in dispute, it follows the amount of compensation is in dispute. Therefore, Sir, the Collector will have to determine what the annual rental is. He has to determine according to the principles of the Act laid down in section 27 or 28 what is fair and equitable rent. Therefore it seems to me that the proviso is necessary with the amendment my friend proposed. I second the amendment on those grounds."

* Mr. T. C. SRINIVASA AYYANGAR:—"I am afraid the Hon. the Revenue Member has misunderstood the purpose of my raising the point of order. When a question arises as to the rate of rent there are other machineries provided. This proviso in the Bill was not intended to invoke a case of that character."

* The Hon. Sir CHARLES SOUTER:—"On a point of order. This proviso was not put in by the Select Committee but was in the original Bill."

* Mr. T. C. SRINIVASA AYYANGAR:—"In clause 2 the maximum for compensation was fixed and no minimum was fixed. I am dealing with the Select Committee's report and the Bill appended to it. In such circumstances, a dispute about amount should be in contemplation. The proviso was necessary. Now that the amount has been fixed, there can be no question of the amount of compensation. Now the Hon. the Revenue Member wants to read in the case of a dispute as to the

amount payable as compensation a dispute as to what the annual rent is. I do not know if that was the intention of that clause. If he intended to include that also, I think it is much better the language is properly altered."

* The Hon. Sir CHARLES SOUTER :—" I do not think, Sir, any alteration in the language is necessary. It seems to be quite clear. There are two points here on which a dispute might arise. One is the cost of the instrument and the second is the amount of rent. If there is a dispute such as this, then the Collector may decide on both and say what is the amount the tenant has to pay to the inamdar as compensation. I think the proviso ought to stand, Sir."

30 The amendment was put and carried.

a. The Hon. the PRESIDENT :—" Shall we go back? "

* The Hon. Sir CHARLES SOUTER :—" If my amendment to sub-section (5) is disposed of, then we could take the vote of the House on clause 9-A altogether. May I move that amendment? "

* The Hon. the PRESIDENT :—" Yes."

* The Hon. Sir CHARLES SOUTER :—" I beg to move—

' For *sub-section* (5) substitute *the following sub-section, namely* :—

" (5) *Notwithstanding anything contained in section* 151 *or in any other provision of this Act, where the tenant—*

(a) fails within a period of one year from the date of the declaration referred to in sub-section (1) *to make an application and tender to the landholder under the first paragraph of sub-section* (2), *or*

(b) in the case of a dispute as to the amount payable as compensation, fails to tender the amount fixed as compensation by the Collector under the proviso to sub-section (2) *within a period of one year from the date of such determination,*

the tenant shall, on the application of the landholder to the Collector, be liable to be ejected:

Provided that in the event of an appeal to the District Collector regarding the amount of compensation, the period of one year referred to in clause (b) shall be computed from the date of the disposal of the appeal ".'

I think, Sir, that some explanation is necessary about this. If the landlord is to have an effective remedy after he gets a declaration as to the kudivaram under section 185-A, we must lay it down that the ryot cannot beyond a reasonable period delay in giving effect to that declaration. If we did not impose a limit to the time within which the ryot should act, he might go on indefinitely withholding payment,

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and the remedy given to the inamdar would become a farce. It is therefore suggested that this period should be one year. Also, we provide here for an appeal to the Collector, and practically it comes to this, that the period of one year shall take effect from the date of the disposal of the appeal. It is in the interests of the inamdars that we introduce this amendment in order that the Act shall be effective in its working. I do not think, Sir, that any one can take strong exception to such a provision, and I beg to move the amendment."

Mr. R. MADANAGOPAL NAYUDU :—" I second it."

The amendment was put and carried.

* Mr. T. C. SRINIVASA AYYANGAR :—" Sir, I beg to move—

' Add *at the end of sub-section* (5) *the words " and on such eviction, the land shall thereafter be deemed to be the private land of the landholder, notwithstanding anything contained in section* 3 (10) (*b*) *of the Act.*'

I am afraid that whenever the question of private land comes in there is a serious outcry that some inroad is sought to be made into the rights of others. But most people forget that the provisions with which we are concerned are admittedly those which relate to lands in which the inamdar has both the varams. When a tenant wants the kudivaram to be transferred to him, it is to provide compensation therefor to the inamdar that all this procedure is enacted. The inamdar is obliged to go before the special tribunal which is to hear the case and determine that both the varams are in the land of the inamdar, even where he has got both the varams in the land. Whether there is any dispute with reference to it or not, whether there is any application by a tenant for the land offering compensation which is available or not, or whether somebody is prepared to take it then or ever, whether the land is actually occupied by the tenant or not, if the inamdar wants to preserve his kudivaram right or if he hopes ever to get compensation therefor, he must get it declared before the special tribunal which is created under the provisions of this Act. On such a declaration the tenant may offer one year's rent as compensation. There would be difficulty even afterwards. If after all this process of going to the tribunal and establishing the right of the inamdar in the kudivaram, if the tenant who offered to pay compensation would not pay it, the tenant is only liable to be evicted. Then what becomes of the land and the inamdar's kudivaram? It is said the land will become ryoti land. Sir, how can it become ryoti? Sir, look at the result, to the inamdar when all this costly farce of a declaration before a special tribunal and of a decision by the District Collector has taken place. What is the benefit to the inamdar who undergoes all these expenses and establishes his right? If the tenant would not pay even this paltry compensation, he can be simply evicted, and the inamdar cannot have the benefit of the ownership of the kudivaram. The land automatically becomes ryoti

land, i.e., the land changes in the legal incidents, unlike private land. After all this trouble, why should not the landholder be allowed to retain it as his private land? If there is any tenant coming forward readily to pay compensation, then it is different. So, I say it is nothing but justice to allow the inamdar to have it as private land, and I therefore submit this amendment for the favourable consideration of the House."

Mr. K. A. NACHIYAPPA GOUNDER:—" I second it."

* The Hon. Sir CHARLES SOUTER:—" Sir, I am afraid I must oppose this amendment very strongly. We considered this point in the Select Committee, and the feeling was very much against it. All that it amounts to is this, that my friend, Mr. T. C. Srinivasa Ayyangar, wants another category to be added to those in section 3 of the Act; in other words, he wants besides (*a*), (*b*), (*c*), (*d*) and (*e*), another category (*f*). [Mr. T. C. Srinivasa Ayyangar: 'Not (*f*) but (*e*).'] But the essential point has not been mentioned. That is this. Even on the eviction of a tenant from a piece of land, that land does not alter its tenure. If that land is ryoti, it will continue to be ryoti land. Simply because the tenant was evicted, why should this become 'the private land of the landholder notwithstanding anything contained in section 3 (10) (*b*) of the Act,' as the amendment seeks to do? It seems to me it is manifestly wrong. If that land can become ryoti land at some time or other, why should it be put down as private land of the landholder, under a separate definition as my friend proposes? I think that it will be going against everything that we have passed so far, and I must oppose it."

* Mr. P. PEDDI RAJU:—" I am sorry, Sir, the effect of the amendment has not been understood properly. All we said was that it was not ryoti land. If it is ryoti land, the tenant would ordinarily have secured the occupancy right. It is said that this is land in which both varams vest in the inamdar, and for that he goes to the special tribunal and obtains a declaration to that effect; then he says 'I have no objection to convert it into ryoti land provided the ryot pays one year's rental.' The ryot does not pay. Then the inamdar says, 'I will convert it into private land.' It is not with the land that is ordinarily ryoti land we are dealing with. It refers to cases where both the varams vest in the inamdar and where he obtains a declaration to that effect. Whether it is private land or not, what is the effect of driving the inamdar before the special tribunal and wasting thousands of rupees to obtain a declaration in order to get one year's rental, and the tenant refusing to pay even that one year's rental? Then, the inamdar may cultivate it himself. If he leases it to anybody, it will be ryoti land again. After having wasted the court's time and the money of the Government in establishing courts and also wasting all his property, the inamdar will get nothing. I do not know, Sir, if that is the method in which we ought to treat the inamdar."

* Sriman M. G. PATNAIK Mahasayo:—" My friend's view-point is entirely incorrect. Now, what is done in this case is practically in accordance with the principles of the Act. It is to be taken that the person in possession is let into the land on payment of certain premium. The payment of premium is provided for in the Act. Now, if this man does not pay the premium, he is ejected from the land. Still it is open to the landholder to collect the premium when he lets another man into the land. Therefore, the character of the land is not altered. But what is altered is this: the penalty attached is for the benefit of the inamdar so as to enable him to earn his premium, or to eject the man already in possession of the land if he does not pay and let in somebody else. That is the provision made specially in the interests of the inamdar. My friends want to take undue advantage of the provi- 3-
sion made and to retain it as private land. That is of course not p.
correct. The only penalty provided is that the particular man who did not pay the premium should be ejected. The character of the land remains the same and the landholder can collect premium from another person or go on cultivating it himself. The advantage he gets is ejectment of the tenant from his land and getting possession of the land. Why should he be given a greater advantage and be declared the sole owner of the land? That is unjust and unfair to the tenant."

The amendment was put and lost.

Clause 9.

* The Hon. the PRESIDENT:—" The House will now go back to clause 9 and consider the amendments [a] Nos. 31 and 33."

* Mr. T. C. SRINIVASA AYYANGAR:—" The purpose of my submission with reference to these two amendments is this: In any Bill there are provisions dealing with substantive rights by declarations of rights and definitions of rights. We are not dealing with them. There are also rules of procedure to be adopted in the case of disputes regarding those rights. With the procedure also we are not concerned now, but when disputes arise in respect of any particular land, whether it is a private land as defined by the Act or not, those elements which go to make up the right claimed will have to be proved. They are proved by leading relevant evidence to prove one way or the other. All relevant materials would ordinarily be evidence. In the matter of the relevant materials which can be placed by way of evidence before the courts, there should be no restriction, as otherwise serious injustice may result. Even in view of the declared intention of the Bill that the position of all the inamdars should be approximated to that of the zamindars and that the so-called beneficial provisions contained in that Act should also apply to the inamdars, there should be no restriction. The Bill places the inamdar in a worse position, certain valuable pieces of evidence being shut out. Valuation of the evidence is interfered with. Now,

[a] These amendments were moved in the forenoon, but their further consideration was then postponed.

the Bill as it stands, is very onerous to the inamdar. I do not seek in this amendment to alter the deliberate placing of the onus of proof in certain other matters on the inamdar on account of the decision of the Privy Council or otherwise. This amendment deals with the evidentiary materials. Under section 185 of the Act, lease-deeds, etc., which came into existence before 1898 are admissible in evidence. The year 1898 was fixed apparently because proposals for legislation which eventuated in Act I of 1908, began in 1898. Lease-deeds of later date were omitted Similarly leases, etc., before 1933 when inams were substantially interfered with, should be admissible. We want to be even more moderate by asking that leases, etc., of a time before the Privy Council decision of 1918, should freely be admissible in evidence. It is to bring out this aspect of the matter, it is to avoid the difficulty in the way of proof that I seek to move this amendment. I do not add to the evidence."

Mr. K. A. NACHIYAPPA GOUNDER:—" I second it."

* The Hon. Sir CHARLES SOUTER:—" Sir, the difficulty in this case is that if we make this alteration, it seems to me that before the court can decide as to what rules of evidence are going to be applied to a particular case, it will have to determine first whether this particular inam is an inam which came under the old Act of 1908 or an inam which was recently introduced. I admit, in some ways, that the situation is not altogether satisfactory. I think we are making things more difficult; if we introduce this rule of law which my hon. Friend now suggests, we would be asking the courts to decide two issues in one. That is the difficulty. I think, in the interests of the inamdars themselves, it would not be wise to press this amendment. As I admitted, the situation is not altogether satisfactory, but we are introducing two sets of rules of procedure or evidence, one for one set of inams and another for another lot of inams and I should much prefer it if we had simply stated in the beginning itself that all inams are to be treated as zamindaris. As we have not done that, I think we must abide by the consequences of our action. Introducing this amendment now would only complicate matters. I think I must oppose this motion."

* Mr. T. C. SRINIVASA AYYANGAR:—" Sir, I desire to further explain matters. I wish I had more powers of intelligibility and elucidation in what I stated. If I understood the Hon. the Revenue Member correctly, he stated that I was seeking to introduce by this amendment two sets of rules which are applicable to two classes of estates. The Bill has already done it. That is the difficulty. I will read the provisions in the Act and the provisions in the Bill. Obviously there are two sets. In the two sets which the Bill has introduced, I merely want to eliminate the restrictions which will definitely place the inamdars in a greater disadvantage. I will read section 185 of the existing Act:

'When in any suit or proceeding it becomes necessary to determine whether any land is the landholder's private land, regard shall be had to local custom and to the question whether the land was before the 1st day of July 1898 specifically let as private land and to any other evidence that may be produced, but the land shall be presumed not to be private land until the contrary is shown.'

2nd September 1936] [Mr. T. C. Srinivasa Ayyangar]

This section applies not only to the four classes of estates which are either zamindaris or portions carved out of them, but it also applies to these inams which were brought within the purview of the Act. There is no distinction, it may be noted, between the inams under the Act and the other estates in section 185, in the matter of evidence. Now two more classes of inams are brought within it. With regard to these further classes of inams also section 185 ought to apply. That is what I say. In so applying that section, difficulties have been created by the provisions of the present Bill itself. I beg to invite the attention of the hon. the Mover and of the House to the provisions of section 185 as altered by the Bill. Whereas section 185 applies to all classes of estates including inams already within it, sub-clause (2) of clause 9 says:

'When in any suit or proceeding it becomes necessary to determine whether any land is the landholders' private land, regard shall be had—

(1) to local custom,'

"So far it is correct. Then coming to sub-clause (2) it says:

'In the case of an estate within the meaning of sub-clauses (*a*), (*b*), (*c*) or (*e*) of clause (2) of section 3 . . .'

"You see that the inams are omitted. So, the Bill makes section 185 in the modified form applicable only to four out of five classes, whereas section 185 applied to all the five. This is taking away a right. Then sub-clause (3) is retained. The clause in the Bill proceeds:

'Provided that the land shall be presumed not to be private land until the contrary is proved:

'Provided further that in the case of an estate within the meaning of sub-clause (*d*) of clause (2) of section 3.'

"These are the two provisos. Then it says:

'(1) Any expression in a lease, patta, or the like, executed or issued on or after the 1st day of July 1918, to the effect or implying that a tenant has no right of occupancy or that his right of occupancy is limited or restricted in any manner, shall not be admissible in evidence for the purpose of proving that the landholder had the kudivaram in the land concerned at the commencement of the tenancy.'

"You will see in the second proviso the words 'any such expression,' etc. Now look at section 185. It merely says 'and to the question whether the land was before the 1st day of July 1898 specifically let as private land . . .' It does not say what value the court shall attach or not attach to the evidence. Evidence is also shut out. There is need for alteration. To disable any one from letting evidence or to make relevant evidence admissible, is unjust. The Bill takes away a valuable piece of evidence. Sir, in these circumstances, I request the hon. the Mover to closely consider the matter. There is no difficulty in the matter of accepting the amendment."

The amendment was put and lost.

4 p.m. Section 185, sub-section (3).

The Hon. Sir CHARLES SOUTER:—" I beg to move—

'*In clauses* (i) *and* (ii) *of the proviso* for *the words* " *the lan holder had the kudivaram in the land concerned* " substitu *the words* " *the land concerned was private land* ".'

" Sir, there was a mistake in the actual drafting and I want to set right. I do not think any further explanation is needed."

The amendment was put and carried.

Clause 9-A.

New section 185-A.

* Mr. T. C. SRINIVASA AYYANGAR:—" I beg to move that sul section (2) (*c*) of section 185-A be omitted. This is how clause (‹ reads:—

'(*c*) *clauses* (i) *and* (ii) *of the second proviso to section* 185 *sha apply to proceedings under this section.*'

" Sir, my amendment is that sub-clause (*c*) be omitted. My reason are these. We are dealing with rights as they existed on the 1st Novembe 1933 as per the law prevailing and having valid operation ther What were those rights in case of any dispute? They should be dete mined as per the laws already governing the same and not by any rul of evidence now enacted. The provision in the Bill cannot be proper principle of law to be applied. In addition to the untenabl nature of the provision in the Bill according to the general principle of law, I rely upon the notification of His Excelency the Viceroy This is what he says—

'I have reached the conclusion that the Act is exproprietary in that i involves the loss of the kudivaram of lands included in their inams by those inam dars who under the existing law would be in a position to establish their owne ship of the kudivaram and that a measure producing this result with no pro vision for the compensation of persons adversely affected should not be allowe to become law.'

" Now it is an admitted case that the inamdars have certain right which in the interests of the tenants this Bill seeks to interfere with an transfer to the tenants by providing for compensation to the inamdars Now in determining the amount of compensation, it will have to b determined under the existing law. I therefore propose that sub clause 9-A (2) (*c*) be omitted."

Mr. K. A. NACHIYAPPA GOUNDER:—" I beg to second it."

* Sriman M. G. PATNAIK Mahasayo:—" My hon. Friend's conten tion is that these provisions relating to evidence are not at all necessar and that no enquiry be made. Practically a certain procedure i adopted and it is also admitted that the burden of proof should be cas on the inamdars. That point has been admitted. According to th decision of the Privy Council the burden of proof was cast on the ryot

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and that burden of proof is shifted now on to the inamdars and the latter also have admitted that it has been rightly shifted. So far as evidence is concerned, considering the disparity of the status between the inamdar and the ryot, it is but right that certain categories of evidence should be excluded. Under the impression that the whole land belonged to the inamdar certain documents came into existence and the ryots without knowing the contents thereof put their signature or marks on those documents. In similar cases before 1908, the same thing was done and the admissions of the ryots were not given such weight as they would otherwise have. because of the fact that they could not be expected, to understand the legal import of such documents and also of the fact that they never cared to understand the legal import so long as they retained the possession of their lands as before. That is what was stated by Sir George Forbes and the same thing has been done now. There is nothing new at all. There is absolutely no reason why this should not be done and even according to the Evidence Act, admission of a certain fact is not conclusive proof. The same idea is stated here, viz., ' do not take the admission of the ryot ' as conclusive. In the absence of other evidences, the court acts upon the admission of the ryots. Moreover in a matter like this, with reference to sub-clause (a), the other case that would come under this is the case of an inamdar holding kudivaram right before the grant in inam. Supposing a whole inam village was cultivated by a certain inamdar and he had kudivaram right therein and that he was given the melvaram in inam, subsequently it is only such cases that would come under the Bill. It is only in that case, he can get compensation under section 185-A. In other cases he cannot get compensation because under the Bill now under discussion, what is said to be an inam was granted to a person not owning kudivaram and the burden of proof is on the inamdar to show that he was the person who held the kudivaram at the time of the grant. It is only when he can establish that, that he can get compensation. All the same, the Bill allows these inamdars to put in evidence as to subsequent conduct and also to prove that they had such kudivaram before the grant. If that is so, there is really no reason for complaints by the inamdars. If they make such complaints, then the ryots have to complain and say that no other evidence than evidence as to grants should be held admissible. Such a provision ought to have heen inserted here. On the other hand, the inamdars are treated very generously. So it does not lie in the mouth of my hon. Friend to complain that sub-clause (c) should be omitted."

* Mr. T. C. Srinivasa Ayyangar:—" I do not know whether the Expert Member has advanced such arguments on his own behalf or on behalf of the Government. Whatever it is, he has come out frankly and said that unles the original grant—it may be that of a Chola, Chera or Pandya King or of some still earlier Kings—is produced as a piece of evidence, the other documents cannot be allowed as evidence. That shows the outlook he has brought to bear on this matter. It is difficult to take seriously his new point and to reply to his observations.

4-15 p.m. "But nobody either in this House or outside can take so unreasonable a view as my hon. Friend the Expert Member does in this matter. What he seems to suggest is that if a man had originally 15 items of evidence to let in and for some cause or other he is now in possession of only 5 items, he should not be allowed to prove his case with those 5 items even. It looks as if he is saying 'because other people have parted with their rights, because they had no evidence to prove their case, therefore even those who have some items of evidence should not be allowed to prove their case.' I would draw the attention of the Government to sub-clause (ii) of the second proviso to the clause in the Bill and section 185 with reference to the position assigned to the inamdars. It should not look as if it is said, 'I will not allow the inamdars the facilities of evidence which are allowed to the zamindars who are poor people, poorer than the inamdars.' (The Hon. the Raja of Bobbili rose to speak.) In all these matters can I take the Hon. the Raja of Bobbili not as a zamindar but as an inamdar? In these matters the inamdar does not seek wider means of proving his rights; he only wants that the existing means of proving his rights under the ordinary law shall not be taken away. Having stated my position, I leave it to the Council to decide."

* The Hon. the RAJA OF BOBBILI:—"Sir, I should like to say a few words on this point. My hon. Friend has been often repeating the argument that those who have been supporting this measure claim that their purpose is to place the inamdars on a par with the zamindars but that when it comes to a question of the inamdar proving or establishing his right in a Court of Law, he is being denied the ordinary facilities which are open to the zamindars under the Act. I must state, Sir, that whatever might have been the intention in bringing forward the original Bill, the present Bill which we are discussing certainly bears very little resemblance to the original Bill. If the matter is impartially looked at, it will be found that at every stage concessions have been given to meet the view-point of the inamdars. Under the Estates Land Act, experienced lawyer as he is, my hon. Friend Mr. Srinivasa Ayyangar ought to know that in the case of zamindaris recitals in pattas to the effect that the landholder has got the right either to enhance the rent or terminate the lease at the end of the fasli year without notice, have no legal value. Similarly, in this case when the inamdars admittedly are not placed on a par with the zamindars, when they are being given additional categories of private land, it is absolutely necessary that special provisions as regards evidence should be embodied in order to safeguard the interests of the inam tenants and they have been so embodied. There is nothing novel about it. I must repeat once again that there is no foundation for the statement that the inamdars have been placed on a level with the zamindars and that when it comes to a question of protecting their rights, they are denied the application of the ordinary provisions of the law."

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The Hon. Sir CHARLES SOUTER:—" Sir, I do not propose to move *amendment No. 42 as it merely repeats what has already been stated* in section 185."

Mr. T. C. SRINIVASA AYYANGAR:—" I do not propose to move the amendment to clause (*d*)."

Clauses 9 and 9-A as amended were put and carried.

Clause 16.

The Hon. Sir CHARLES SOUTER:—" Sir, I beg to move that in *clause 16, in line 2, for the word 'second' the expression '2nd'* be substituted."

The amendment was put and carried.

Clause 16 as amended and clause 17 were put and carried.

Clause 18.

*Mr. T. C. SRINIVASA AYYANGAR:—" I move, Sir, that clause 18 be omitted. The amendment speaks for itself. I have already spoken at length on the question of the retrospective operation of statutes and I do not want to detain the House with any lengthy remarks on it. I move the amendment."

Mr. K. A. NACHIYAPPA GOUNDER:—" I second it."

The amendment was put and lost.

Clauses 18 and 19 were put and carried.

General.

The Hon. Sir CHARLES SOUTER:—" Sir, I beg to move that the clauses be renumbered in the numerical order."

The amendment was put and carried.

The preamble was put and carried.

The Hon. Sir CHARLES SOUTER:—" Mr. President, Sir, I have now great pleasure in moving that the Bill be passed into law."

* The Hon. the PRESIDENT:—" The motion is that the Bill be passed into law."

Mr. T. C. SRINIVASA AYYANGAR:—" It is already late. If we take up the motion now, we will be opening up the flood-gates of the speeches usually made on this occasion. I think it appropriate that we should sum up what are the likely results of this Bill. Many hon. Members on this side will be certainly happy if half an hour is allotted for this motion."

The Hon. Sir CHARLES SOUTER:—" As far as I am concerned, I have no objection to taking this up to-morrow."

* The Hon. the PRESIDENT:—" Then we shall adjourn now."

The House adjourned to meet again at 11 a.m. the next day.

D. K. V. RAGHAVA VARMA,
cting Secretary to the Legislative Council.

APPENDIX I.

[Vide answer to question No. 309 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 2nd September 1936, page 639 supra.]

Registrar's Memorandum No. B. 1-8237/35, *dated* 18*th December* 1935.

[Land Mortgage Banks—Individual maximum borrowing power—Increase from Rs. 5,000 to Rs. 10,000.]

When recommending application for loans exceeding Rs. 5,000, Deputy Registrars, Land Mortgage Banks, must insist on the applicants in taking an insurance policy or a dismortgaging policy. If any application is recommended for sanction without a policy they should justify the exception.

To the Deputy Registrars, Land Mortgage Banks, North and South Circles, Madras.

Copy to the Secretary, Central Land Mortgage Bank, Madras.

APPENDIX II.

[Vide answer to question No. 315 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 2nd September 1936, page 643 supra.]

(1)

Memorandum No. 24707-A-1-C, L. & M., dated 18th June 1935.

The president of a district board has raised the question whether correspondence between district board engineers and the Government or heads of Government departments should not pass through the respective presidents of district boards. As district board engineers are serving directly under presidents of district boards, they should address all communications to the Government or to heads of Government departments, including reports submitted to the Government with reference to G.O. No. 1097, L. & M., dated 7th March 1934, through the presidents of the district boards concerned.

(By order)

K. NARAYANA AYYAR,
Assistant Secretary to Government.

To all Presidents of District Boards.
,, all District Board Engineers.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.

(2)

G.O. No. 1097, L. & M., dated 7th March 1934.

In connexion with the invitation and acceptance of tenders for an important bridge work undertaken by a district board, the following irregularities occurred:—

(1) The time and place for the opening of the tenders were not mentioned in the tender notice;

(2) the schedule of quantities was circulated to the tenderers in contravention of instruction 403 of the Madras Local Boards Manual; and

(3) a tender received after the due date was accepted in contravention of rules 255 and 256 of the Manual.

The district board engineer, on being called for an explanation, stated that he had brought the irregularities to the notice of the president of the district board and that as the president was the final authority in the matter, he (the district board engineer) could not be held responsible. The Government consider that the responsibility of district board engineers does not cease on their merely bringing such irregularity to the notice of the presidents of district boards. In all cases in which there has been a material irregularity in procedure or violation of rules, the district board engineer should, before proceeding with the execution of the work, bring the matter to the notice of the president of the district board in the first instance and, if the latter fails to rectify the defect, report the case for the orders of the Government.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To all District Board Engineers
,, all Presidents of District Boards.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.

(3)

G.O. No. 2500, L. & M., dated 29th June 1935.

READ—the following papers:—

G.O. No. 1097, L. & M., dated 7th March 1934.

From the President, District Board, Salem, dated 27th May 1934, R.O.C. No. 2578/34.

From the President, District Board, West Godavari, dated 24th May 1934, R.C. No. 2294/34.

Order—No. 2500, *L. & M., dated* 29*th June* 1935.

In modification of G.O. No. 1097, L. & M., dated the 7th March 1934, the Government are pleased to direct that in all cases in which there has been a material irregularity in procedure or violation of

rules, the district board engineers should, before proceeding with the execution of the work, bring the irregularity to the notice of the presidents of district boards concerned. Copies of such communications may also be sent to the Government through the respective presidents of district boards. In cases where the irregularity is not rectified, the presidents concerned should report the fact to the Government with full reasons showing why such rectification was not possible.

(By order of the Government, Ministry of Local Self-Government)

K. NARAYANA AYYAR,
Assistant Secretary to Government.

To all Presidents of District Boards.
,, all District Board Engineers.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.

(4)

G.O. No. 2685, L.S.G., dated 24th June 1936.

The attention of all District Board Engineers is invited to the orders issued in G.O. No. 1097, L. & M., dated 7th March 1934, as amended by G.O. No. 2500, L. & M., dated 29th June 1935. The Government wish to remind them of their responsibility for taking prompt action in accordance with that Government Order in *all* cases. Government regret to note that material irregularities in procedure and violation of rules which District Board Engineers ought to have brought to notice under that Government Order are being reported to Government by other persons now. Disciplinary action will be taken in all cases where District Board Engineers fail to take action as directed by that Government Order.

2. When copies of the communications sent by the District Board Engineers to the respective presidents of district boards are sent to the Government through them, the presidents should forward such copies to Government not later than the next day after their receipt.

(By order of the Government, Ministry of Education and Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all District Board Engineers.
,, all Presidents of District Boards.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.

Appendix III.

Vide answer to question No. 332 asked by Mr. K. S. Sivasubrahmanya Ayyar at the meeting of the Legislative Council held on the 2nd September 1936, page 659 supra.]

Statement showing the imports in tons of paddy into Madras Presidency from Burma, Siam and Indo-China.

Months.	Burma.			Siam and Indo-China.		
	* 1934.	1935.	1936.	1934	1935.	1936.
pril	16,207	5,378	3,046	1,441	3,065	
[ay	21,798	7,702	3,735	10,548	10,202	
une	9,526	6,144	15,878	7,359	10,229	
uly	4,790	..	3,099	8,483	..	
ugust	7,449	..	10,511	14,876	..	

Statement showing the imports in tons of rice into Madras Presidency from Burma, Siam and Indo-China.

Months.	* 1934.	1935.	1936.	1934	1935.	1936.
ıpril	67,716	84,300	500	906	596	
lay	86,579	75,737	3,233	500	1,127	
une	63,028	48,896	1,555	..	400	
uly	35,963	..	128	500	..	
ıugust	78,573	..	4,107	750	..	

tatement showing the imports in tons of broken rice into Madras Presidency from Burma, Siam and Indo-China.

Months.	* 1934.	1935.	1936.	1934	1935.	1936.
pril	..	10,586	31,059	4,518	1,051	
lay	9,870	12,866	13,522	..	938	
une	8,380	11,093	12,442	..	501	
uly	6,607	..	10,064	..	..	
ıugust	12,816	..	17,724	9,034	..	

* Figures not available.

Appendix IV.

Vide answer to question No. 333 asked by Mr. G. Rameswara Rao at the meeting of the Legislative Council held on the 2nd September 1936, page 660 supra.]

Extracts relating to 43. *Famine from the Finance and Revenue Accounts of the Government of India for the year* 1934–35.

The origin of the appropriation to Famine Relief and Insurance.—'he appropriation to Famine Relief and Insurance dates back to 1878–9. In 1876 and 1877 the Government of India, reviewing the effect ‚pon their finances of the heavy famine expenditure of several preced-ng seasons, found that this expenditure had in reality been met from oan funds, the ordinary revenue of the country just sufficing to meet ts ordinary expenses. This state of affairs was recognized as unsatis-actory. Famine was an ordinary incident of Indian administration

and should be met from current revenues. Government accordingly decided that it was desirable so to increase the revenues of India as to leave a margin from which famine charges might be met.

A careful calculation of past expenditure showed that the average annual charge on account of famine relief had amounted to about 150 lakhs of rupees and it was therefore decided to increase the annual revenues by this sum. This amount was raised by means of a famine cess (since abolished) levied upon land and a licence tax (subsequently merged in the general income-tax) imposed upon persons following particular trades. These taxes were imposed in 1878–79, and it was expected that their imposition would swell the surplus of the year by 150 lakhs. No provision for the expenditure of this sum was made in the estimates. It was intended to hold it in the cash balance until it could conveniently be used in paying off debt. It was not until 1881–82 that a new ' Famine Relief and Insurance ' was opened on the expenditure side of the accounts, and a provision of rupees 150 lakhs made under it. This provision was, however, temporarily, ' suspended ' or ' reduced ' on several occasions in subsequent years when Government was faced with financial stringency.

2. *Method of effecting ' Insurance ' Appropriation for reduction of Debt and its extension to Avoidance of Debt.*—It was originally intended to appropriate in each year a sum of Rs. 150 lakhs to Famine Relief and Insurance, from which would be met the actual cost of famine relief incurred during the year, and also of the construction of Protective Railways and Irrigation Works up to a maximum limit of one-half of the total provision, any part of the Rs. 150 lakhs that remained unspent being taken as a cumulative insurance against severe famine in the future. It was considered undesirable to pay this unspent balance into a specific fund. Government preferred to meet the famine expenditure from the general revenues and to effect insurance against such charges in the future by strengthening the general financial position of the country. Accordingly, in the early years of the scheme, the surplus funds of the provision were on several occasions employed in paying off debt. Government was, however, at that time borrowing largely for productive purposes and it was soon recognized that there was nothing to be gained by paying off old and incurring new debts simultaneously. It was decided, therefore, while borrowing continued, to appropriate the excess fund representing Famine provision to the *avoidance of new rather than the liquidation of old loans.* In pursuance of this policy the unexpended balance of the provision was after 1885 actually spent in each year upon productive works.

3. *Incidence of Famine Expenditure before the Reforms.*—Prior to 1907–08 the expenditure upon Famine Relief was a Provincial charge until provincial resources were exhausted, when the burden shifted to Central revenues. As this system was found unsuited to the satisfactory working of the quasi-permanent provincial settlements, it was decided to make famine relief at the outset a Central liability and to call upon the provincial resources only when the expenditure became really heavy. It was accordingly decided to appropriate one-quarter

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of the famine provision of Rs. 150 lakhs to form a species of reserve against which Provincial Governments might draw in time of famine. The sum of Rs. 37½ lakhs was then distributed among the provinces liable to famine in proportion to their comparative needs, the share allotted to each province being added to its resources by an annual assignment from Central to Provincial revenues. The credit was, however, a book credit only; a credit under the head 'Transfers between Central and Provincial Revenues' being counterbalanced by a corresponding debt under the head 'Reduction or Avoidance of Debt' in the Provincial section of the accounts. Under this system the Provincial allotment was regarded as of the nature of an insurance payment, in return for which any famine expenditure incurred by a province was treated as wholly 'Central' within certain prescribed limits. The extent to which any local Government was thus entitled to have its famine expenditure treated as 'Central' was represented by its 'famine credit' in the *pro forma* account which was maintained under this system. When this credit was exhausted, further expenditure was shared equally between the Central and the Provincial Government concerned. This arrangement was discontinued in 1917–18, when the Central Government's share of the famine relief expenditure was fixed uniformly at three-fourths and the Provincial Government's share at one-fourth. This method of apportionment remained in force till, on the advent of the Reforms, Famine Relief became a wholly provincial subject.

4. *Position under the reforms.*—Under the Statutory rules framed under the Government of India Act as they stood up to 1927–28, each Provincial Government was required to contribute from its resources a fixed sum every year for Famine Insurance. The annual contribution was devoted in the first instance to outlay on the construction of protective works and, if necessary, on relief measures, the sum not required for these purposes being utilized in building up a Famine Insurance Fund. The balance at the credit of the fund was regarded as invested with the Central Government which paid interest on it, and it was available for application, when necessary, to any of the objects mentioned above and also to the grant of advances to cultivators.

The constitution of the Fund has undergone a radical change with effect from the financial year 1928–29. Under the new regulations the Fund has ceased to be an Insurance Fund. It is now called the 'Famine Relief Fund' and it provides, as its main and primary object, for expenditure on Famine Relief proper, the word 'Famine' being held to cover famine due to drought or other natural calamities. Accordingly, the annual assignment from revenue, as well as the balances in the Fund till they exceed a certain prescribed amount, are not expended save upon the relief of famine. Loans to cultivators are not granted from the new Famine Relief Fund direct, but the Fund may advance money for financing the Provincial Loan Account if and when its balance exceeds the prescribed minimum. The balance at credit of the old Famine Insurance Fund on the 31st March 1928 was transferred to the new Fund on 1st April 1928. ..

APPENDIX V.

[Vide answer to question No. 334 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 2nd September 1936, page 661 supra.]

LEGISLATIVE ASSEMBLY—PRELIMINARY ROLLS.

(i) General, Muhammadan and Indian Christian Constituencies.

District.	Number enrolled.			
	Hindus including scheduled castes.	Scheduled castes.	Indian Christians.	Muhammadans
(1)	(2)	(3)	(4)	(5)
Vizagapatam	332,052	14,133	1,021	1,979
East Godavari	222,824	42,930	2,566	3,208
West Godavari	171,718	21,157	11,304	3,139
Kistna	192,891	20,895	9,618	7,688
Guntur	238,578	20,336	21,335	14,689
Nellore	153,188	20,443	2,502	7,997
Cuddapah	116,867	7,518	3,101	13,015
Anantapur	114,505	14,255	591	8,642
Bellary	134,568	13,443	771	11,979
Kurnool	95,972	10,303	5,807	12,969
Chingleput	241,677	63,111	4,487	4,761
Chittoor	206,763	28,796	811	8,595
North Arcot	304,626	50,432	3,514	18,623
South Arcot	366,229	80,536	7,298	12,184
Tanjore	314,062	62,669	7,937	23,971
Trichinopoly	258,217	34,682	13,372	12,453
Madura	247,021	22,005	8,616	15,406
Ramnad	237,947	33,459	10,281	15,434
Tinnevelly	246,839	39,554	43,481	23,477
Coimbatore	212,807	30,959	4,391	8,112
The Nilgiris	12,224	1,302	1,278	1,096
Salem	258,400	25,355	2,030	6,396
South Kanara	98,100	9,973	16,767	19,278
Malabar	284,532	24,275	17,992	135,970
Madras	56,549	5,873	3,514	10,703
Total ..	5,119,156	698,394	204,385	401,764

(ii) European Constituency.

District.	Number enrolled.	District.	Number enrolled.
(1)	(2)	(1)	(2)
Vizagapatam	61	Tanjore	33
East Godavari	80	Trichinopoly	169
West Godavari	15	Madura	140
Kistna	40	Ramnad	15
Guntur	37	Tinnevelly	73
Nellore	10	Coimbatore	263
Cuddapah	18	The Nilgiris	708
Anantapur	17	Salem	138
Bellary	9	South Kanara	34
Kurnool	18	Malabar	290
Chingleput	180	Madras	1,118
Chittoor	25		
North Arcot	38	Total ..	3,575
South Arcot	46		

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(iii) Anglo-Indian Constituency.

District. (1)	Number enrolled. (2)	District. (1)	Number enrolled. (2)
Vizagapatam	255	Tanjore	64
East Godavari	154	Trichinopoly	814
West Godavari	4	Madura	137
Kistna	65	Ramnad	7
Guntur	14	Tinnevelly	124
Nellore	155	Coimbatore	501
Cuddapah	1	The Nilgiris	403
Anantapur	24	Salem	69
Bellary	19	South Kanara	23
Kurnool	3	Malabar	794
Chingleput	585	Madras	1,611
Chittoor	7		
North Arcot	110	Total ..	6,217
South Arcot	274		

(iv) Landholders' Constituencies.

Name of constituency. (1)	Number enrolled. (2)		
Northern Landholders I	Vizagapatam	31	57
	East Godavari	26	
Northern Landholders II	West Godavari	9	60
	Kistna	40	
	Guntur	11	
Northern Central Landholders	Nellore	22	96
	Chingleput	22	
	Chittoor	34	
	Cuddapah	1	
	Madras	16	
	Anantapur	1	
Southern Central Landholders	North Arcot	10	57
	South Arcot	6	
	Coimbatore	9	
	Salem	24	
	Trichinopoly	8	
Southern Landholders	Tanjore	28	79
	Madura	14	
	Ramnad	13	
	Tinnevelly	24	
West Coast Landholders	Malabar	316	318
	Nilgiris, the	..	
	South Kanara	2	
	Total ..		667

(v) Commerce, Industry and Planting Constituencies.

Name of constituency. (1)	Number enrolled. (2)
European Commerce	66
Madras Planters	47
The Southern India Chamber of Commerce	79
The Nattukottai Nagarathars' Association	122

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(*vi*) *Labour Constituencies.*

Name of constituency.	Number enrolled.	Name of constituency.	Number enrolled.
(1)	(2)	(1)	(2)
(i) Trade Union—		(ii) Non-union Labour—*cont.*	
Railway Trade Union ..	2,402	Vizagapatam *cum* East Godavari Dock and Factory Labour ..	8,058
Textile Workers' Trade Union	982	West Godavari *cum* Kistna *cum* Guntur Factory Labour ..	6,782
(ii) Non-union Labour—			
Textile Workers ..	7,909		
Madras City Dock and Factory Labour (excluding Textile and Railway Labour) ..	10,345		

(*vii*) *University Constituency.*

Name of the Universities.	Number enrolled.	Name of the Universities.	Number enrolled.
(1)	(2)	(1)	(2)
Madras University	5,933	Annamalai University ..	2,254
Andhra University	1,318		
		Total ..	9,505

(*viii*) *Backward Areas and Tribes Constituency.*

	Number enrolled.		Number enrolled.
East Godavari—		Vizagapatam—*cont.*	
(Yellavaram taluk) ..	2,354	Vizianagram (Srungavarapukota taluk)	30
Vizagapatam—			
Narasapatam division (Golgonda and Gudem taluks)	13,016	Total ..	15,400

Appendix VI.

[Vide answer to question No. 335 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 2nd September 1936, page 662 supra.]

ENROLMENT IN PRELIMINARY ELECTORAL ROLLS.

Legislative Council.

(*i*) *General Constituencies.*

Name of constituency.	Number enrolled.	Name of constituency.	Number enrolled.
Madras City	1,207	Tanjore	2,111
Vizagapatam	1,497	Trichinopoly	571
East Godavari	2,477	Madura	681
West Godavari	846	Ramnad	1,208
Kistna	1,131	Tinnevelly	522
Guntur	353	Salem	327
Nellore	442	Coimbatore cum Nilgiris .. 929 / 77	1,006
Cuddapah	97	Malabar	3,068
Anantapur	134	South Kanara	917
Bellary	389	Total for the Presidency ..	20,994
Kurnool	212		
Chingleput	495		
Chittoor	336		
North Arcot	261		
South Arcot	686		

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(ii) Muhammadan Constituencies.

Name of constituency.	Number enrolled.
Madras North—	
Vizagapatam	5
East Godavari	9
West Godavari	12
Kistna	15
Guntur	4
Nellore	2
Cuddapah	4
Anantapur	9
Bellary	22
Kurnool	10
Chittoor	7
Total ..	99
Madras North Central—	
Madras	161
Chingleput	8
North Arcot	35
South Arcot	37
Total ..	241
Madras South Central—	
Tanjore	189
Trichinopoly	34
Total ..	223
Madras South—	
Madura	66
Ramnad	33
Tinnevelly	36
Salem	4
Coimbatore	47
The Nilgiris	10
Total ..	196
Madras West Coast—	
Malabar	702
South Kanara	41
Total ..	743
Total for the Presidency ..	1,502

(iii) Indian Christian Constituency.

Vizagapatam	5
East Godavari	8
West Godavari	..
Kistna	4
Guntur	9
Nellore	2
Cuddapah	..
Anantapur	1
Bellary	3
Kurnool	5
Madras	58
Chingleput	4
Chittoor	..
North Arcot	1
South Arcot	10
Tanjore	26
Trichinopoly	19
Madura	23
Ramnad	1
Tinnevelly	41
Salem	1
Coimbatore	10
Nilgiris	4
Malabar	14
South Kanara	45
Total for the Presidency ..	294

(iv) European Constituency.

Vizagapatam	19
East Godavari	21
West Godavari	3
Kistna	7
Guntur	8
Nellore	4
Cuddapah	2
Anantapur	..
Bellary	7
Kurnool	..
Madras	469
Chingleput	33
Chittoor	4
North Arcot	7
South Arcot	14
Tanjore	13
Trichinopoly	50
Madura	44
Ramnad	4
Tinnevelly	23
Salem	22
Coimbatore	70
Nilgiris	166
Malabar	85
South Kanara	14
Total for the Presidency ..	1,089

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APPENDIX VII.

[Vide answer to question No. 341 asked by Mr. Basheer Ahmed Say at the meeting of the Legislative Council held on the 2nd Sept ber 1936, page 668 supra.]

Revised Rules for regulation of water at the Lower Coleroon Anic

1. The regulation of water at the Lower Coleroon Anicut shall in the hands of the Superintending Engineer, Tanjore Circle.

2. In no case shall the water be allowed to overtop the shutters.

3. When freshes come down the river, the anicut shutters shall kept closed until the water rises to the top thereof. Should the wa continue to rise, the shutters shall be so regulated as to maintai front reading of 9 feet; but if for the purpose of filling the Veeran tank with reference to clause (*c*) of rule 8 a higher front reading considered necessary, the shutters may be so regulated as to maint a front reading not exceeding 10½ feet.

4. In carrying out the provisions of rule 3, the five shutters ac cent to the North Rajan channel and the five adjacent to the So Rajan channel shall be raised first by 6 inches with a view to keep the heads of these channels clear of sand.

5. Should the water tend to rise above the front reading of 9 or feet as the case may be, specified in rule 3, the undersluices shall fully opened, and if this is not found sufficient, all the shutters sl be gradually and uniformly raised, until they are clear.

6. Whenever the front gauge reads 16 feet, the Overseer at Lower Coleroon Anicut shall intimate the fact to the Overseer at Grand Anicut by telephone, stating whether the water is rising, fall or steady. When the front gauge reads 17 feet, and again when reads 18 feet, the Overseer at the Lower Coleroon Anicut shall take same action.

7. When the water finally begins to fall after a flood, the sa procedure as that laid down for a rising flood, shall be followed in the reverse order.

8. (*a*) During the first crop season, supplies will be made availa from the Grand Anicut as may be found necessary, to meet following demands at the Lower Coleroon Anicut:—

	CUSECS.
16th June to 15th July	150
16th July to 30th September	2,162
1st October to 31st October	1,544

After the 1st November, supplies required will depend on the no east monsoon and shall be fixed by the Superintending Engin according to actual requirements.

(*b*) When and so long as the supply of water in the Coler at the Lower Coleroon Anicut does not exceed 2,162 cusecs, the sup shall be distributed to the Vadavar, North Rajan, South Rajan Kumukkumanniar channels in the proportion of 1,012 : 675 : 443 : respectively.

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(c) When and so long as the supply of water in the Coleroon exceeds 2,162 cusecs and the Veeranam tank is not full, 675, 443 and 32 cusecs shall be supplied to the North Rajan, South Rajan and Kumukkumanniar channels respectively and the balance supplied to the Vadavar up to its maximum carrying capacity, until the Veeranam tank is filled.

9. During the second crop season, all available supplies in the river shall be distributed to the Vadavar, North Rajan and South Rajan channels in the proportion of 2 : 10 : 7. The quantity required for the small extent of second crop under the Kumukkumanniar shall be passed from the allowance made for the South Rajan channel. The Executive Engineer, South Arcot division, shall be at liberty to distribute the share of water allotted to the Vadavar and the North Rajan channel according to the conditions obtaining in each season.

10. The seasons for the first and second crops shall be fixed every year by the Superintending Engineer, Tanjore Circle, with due regard to the seasonal conditions thereof and to the date of arrival at the Lower Coleroon Anicut of the first freshes in the Coleroon for the transplantation of the first crop.

11. Throughout the short supply season, leakage under the shutters shall be prevented as far as possible by means of clay and straw.

12. In order to get rid of abnormal shoals above the anicut, any of the shutters may be worked as scouring sluices.

APPENDIX VIII.

[Vide answer to question No. 342 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on 2nd September 1936, page 669 supra.]

Villages.	Villages.	Villages.
Endloor (portion).	Maddiralapad (Agraharam).	Lingamgunta.
Mynampad (portion).	Chekurapad.	Dhenuvakonda.
Pernamitta.	Karavadi.	Garlapad.
Throvagunta.	Ulchi.	Doddavaram.
Gudimellapad (Agraharam).	Devarampad (portion).	Ghandiyapudi.
Muktinulapad.	Chejerla.	Chandrapad.
Ongole.	Alur.	Venkateswarapuram (Agraharam).
Allur (portion).	Mallavaram.	Rudravaram (portion).
Narasapuram (Z).	Kolchanakota.	Sitarampuram (Agraharam).
Annavarappad (Z).	Velampalle.	Guravareddipalem.
Mamidipalem (Z).	Maddipad.	Bhadrasastrulu Kandrika.
Pellur (Z).	Nelatur.	Modepalli.
Malleswarapuram (Z).	Doddavarappad.	Nannurapad (Agraharam Estate).
Koppole.	Pedakothapalle.	
Nandipad (Agraharam).	Yedugundlapad.	
Inamanamellore.		

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 3rd September 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, K.C.I.E., The Hon. The.
Rajan, The Hon. Mr. P. T.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani Sahib Bahadur, S. M. K.
Dalavoi, Mr. R.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Foulkes, Mr. G. F. F.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Halasyam Ayyar, Mr. N.
Hood, C.I.E., I.C.S., Mr. H. M.
Indrayya, Mr. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Babadur D.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Muniswami Pillai, Rao Sahib V. I.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nanjappa Bahadur, Rao Bahadur Suhadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Diwan Bahadur C.
Nayagam, Mr. C. D.
Palat, Mr. R. M.
Patnaik Mahasayo, Sriman M. G.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramamurti, Rao Sahib Pandit Ganala.
Ramaswami Ayyar, Mr. T. S.
Rameswara Rao, Mr. G.
Ranganatha Mudaliar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.
Scott Brown, I.C.S., Mr. W.
Shaiku Mohamad Laljan Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Smith, Mr. J. M.
Soundarapandian, Mr. W. P. A.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Stanes, Mr. F. J.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thangal, Mr. P. M.
Uzielli, C.I.E., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr. V. G.
Venkatachala Reddiyar, Mr. K. C. M.
Venugopal Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.
Zamindar of Tekkali, The Senior.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Irrigation

Cost of construction and maintenance of the channels carrying from the Mettur Dam to the Cauvery.

* 351 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon Member for Revenue be pleased to state—

(*a*) at what cost each of the channels taking water from the level and low level sluices at Mettur Dam to the Cauvery River p has been constructed;

(*b*) what is the annual cost of maintenance of each of channels in each year since its construction; what is the capital exp ture incurred on each of them in each year;

(*c*) whether it is a fact that suggestions were made by Mr. Mu who was connected with the Dam work, to avoid all constructi revetments, etc., and allow a natural course to these channels;

(*d*) if so, what the reasons are for not acting upon them;

(*e*) whether the said channels can hold the full discharge the upper and lower sluices are opened in full; and

(*f*) if the reply to (*e*) be in the negative, what arrangement Government have done or propose to do to meet such a contingency

A.—(*a*) The cost of the high level channel and sluices is Rs. lakhs to the end of 1934–35 and that of the low channel and sluices is Rs. 4·33 lakhs.

(*b*) The Government have no information regarding the a cost of maintenance of each of these channels. The ca expenditure on the high level channel since 1934– nil. As regards the low level channel, a provisi Rs. 11,000 was made in 1935–36 for constructing ma retailing walls above the bridge and a sum of Rs. 3 has been provided during 1936–37 for improvemen the Stanley Park bridge so that the full discharge req for the ayacut can be passed, without obstruction, b low level channel at times when the reservoir level is The actual amount of expenditure incurred so far i known.

(*c*) & (*d*) The Government are not aware of the suggestion.

(*e*) & (*f*) The Stanley Park Bridge causes some obstructi the free flow of water in the low level channel whe level of water in the reservoir is too low to permit o high level sluices and high level channel being used is proposed to improve it and increase the water way

cost of Rs. 70,000 and a provision of Rs. 30,000 has been made in the current year. After the improvements no difficulty is likely to be felt.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Member hether, whenever full quantity of water is let in through the high vel and low level channels the side revetments of the channel are fected very often? "

The Hon. Sir CHARLES SOUTER:—" I think the hon. Member is mistaken in referring to the high level sluices; there is no trouble as far as the high level sluices are concerned. Last year I think on three occasions the revetment near the low level sluices was washed away and they had to shut the sluices which prevented the supply of water in sufficient quantities for places lower down. In order to prevent this, the Chief Engineer for Irrigation is now seeing that the channel leading to the low-level sluices is put in proper order. I understood from him personally that as things are at present, there is not likely to be any danger and what we have got to do is to complete the work which has been begun."

Mr. K. A. NACHIYAPPA GOUNDER:—" Will the Hon. Member be leased to state whether this damage was not thought of at the time f the construction of the dam? "

The Hon. Sir CHARLES SOUTER:—" I do not know, Sir."

Land Revenue Administration

Publication of the instructions issued to Special Loans Officers under the Agriculturists' Loans Act.

* 352 *Q.*—Mr. A. B. SHETTY: Will the Hon. the Member for Revenue be pleased to place on the table of the House Government Orders containing instructions to Special Loans Officers in regard to oans for relief of indebtedness under the Agriculturists' Loans Act?

A.—Copies of G.O. No. 2531, Revenue, dated 25th October 1935 containing the rules and instructions relating to the grant of loans for the relief of indebtedness, as corrected up to date, have been placed on the table of the Legislative Council.

Public Service

Classification of Viswa-Brahmans as ' Brahmans ' for purposes of Government service and the Communal rotation rule.

* 353 *Q.*—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether the Government are aware that the then Member for Revenue had stated on the floor of this House on 4th August 1931 in connexion with the debate of the honorific prefixes and suffixes to the names of the Members of the Viswa-Brahmana community that " If they were to be classified as Viswa-Brahmans they would be considered

to be Brahmans for the purposes of the Civil Lists and under th rotation take their turn as such ";

(b) whether the Government have accordingly considered th question of treating this community to be a sub-sect of Brahmans for th purposes of the Civil List, in view of G.O. No. 315, Law (General) dated 27th January 1933; and

(c) if so, what their final decisions are on this subject?

A.—(a) Yes.

(b) & (c) No. The question did not arise with reference t G.O. No. 315, Law (General), dated 27th January 1933

Rao Sahib Pandit GANALA RAMAMURTI:—" May I ask with refer ence to answer (b), under what main heading the community of Viswa brahmans is included for the purpose of appointments and the reason or basis that prompted the Government to come to such a conclusion? "

The Hon. Sir CHARLES SOUTER:—" At present they are include under non-Brahman Hindus. The reason for the Government including them under that head is they are non-Brahman Hindus.

Rao Sahib Pandit GANALA RAMAMURTI:—" May I ask whether Si K. Srinivasa Ayyangar in reply to a debate, stated on the floor of the House . . . ? "

The Hon. the PRESIDENT:—" The hon. Member is expected to put the supplementary question and not read out speeches."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the same hon. Member has put questions suggesting that they belong to the depressed classes? "

The Hon. Sir CHARLES SOUTER:—" I understand that that is the case; Viswabrahmans were first asked to be treated as Brahmans and then as depressed classes."

Secretariat

Recruitment of clerks employed in the Revenue Department in the mufassal to the clerical establishment of the Secretariat.

* 354 Q.—Mr. A. M. AHMED MEERAN: Will the Hon. the Member for Revenue be pleased to state—

(a) whether in filling up the clerical vacancies in the Secretariat departments the claims of deserving hands working in the mufassal in the Revenue Department are considered;

(b) if so, whether any fixed percentage of vacancies is allotted to mufassal hands; and

(*c*) if the answer to (*b*) is in the affirmative, the exact percentage allotted to mufassal hands?

A.—(*a*) *to* (*c*) Appointments to clerical posts in the Secretariat departments are normally made by direct recruitment, but appointment may for special reasons be made by transfer from other subordinate services. Persons working in the Revenue Department in the mufassal may thus be appointed to the Secretariat service for special reasons at the discretion of the appointing authority. No percentage of vacancies has been reserved for mufassal clerks.

Agriculture

Research work carried on at the fruit research station, Anantarajupet.

* 355 *Q*.—Mr. P. V. Krishnayya Choudari: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the results of the research work carried out in the fruit research station opened in the Cuddapah district recently;

(*b*) whether the expert attached to the station tours in other districts;

(*c*) whether he has started demonstration centres at other places;

(*d*) whether any report has been received by the Government or by the Director of Agriculture about his findings; and

(*e*) if so, whether the report will be placed on the table of the House?

A.—(*a*) The research work of the station may be said to have commenced on the 3rd August 1935 when the Superintendent took over charge of the station. In the case of a crop like fruits, it is clearly impossible to expect any results of major practical importance from investigations carried out during the very brief period of existence of this station. Up to date about 40,000 seedlings of 176 different types and forms of citrus have been raised. A number of experiments on vegetative propagation of citrus and mangoes have been in progress and in the case of citrus, the station has already met with phenominal success in budding of some varieties of citrus in certain seasons. A fairly large collection of grafted and budded plants of reputed varieties of mangoes and citrus has also been made and is still being enriched to furnish the requisite material for planting, which is proposed to be taken up as soon as arrangements are made for ensuring an adequate supply of water.

(b) The Superintendent of the station has recently completed an extensive tour in the Presidency in connexion with a survey of the fruit industry and also to fulfil a part of the increasing demand for advice from fruit growers and nurserymen of this Presidency.

(c) The proposal to start a few sub-stations in the typical fruit growing tracts of the Presidency to serve both as demonstration and experimental centres has been approved and will be given effect to as soon as it is found possible to do so, with due regard to the finance and the availability of trained hands to be in charge of such sub-stations.

(d) The Superintendent has recently sent the annual report of the station to the Director of Agriculture, Madras.

(e) The Government will consider the suggestion on receipt of the report.

Mr. K. A. NACHIYAPPA GOUNDER:—" Will the Government ask the officers to carry on this demonstration and research work in certain grown-up gardens, so that they may show some experiments to the ryots, instead of waiting till gardens grow up? "

The Hon. Mr. P. T. RAJAN:—" I do not know what kind of research can be done in grown-up gardens; all that can be done is to prevent any disease that might have attacked grown-up gardens."

Mr. A. B. SHETTY:—" Will the Hon. Minister be pleased to state in which places it is proposed to start sub-stations to serve as demonstration and experimental centres? "

The Hon. Mr. P. T. RAJAN:—" When we get the necessary funds, the places where we should have sub-stations will be decided upon."

Co-operation

Raising the maximum limit of loan payable by the Land Mortgage Banks.

* 356 Q.—Mr. A. M. AHMED MEERAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the amount that could be got as loan from a Land Mortgage Bank has been raised from Rs. 5,000 to Rs. 10,000; and

(b) whether this applies to all districts?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to clause (b) of question No. 308.

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Industries

Proposals for opening an experimental porcelain factory.

* 357 *Q.*—Mr. M. S. Sreshta: Will the Hon. the Minister for Public Works be pleased to state with reference to his reply to the supplementary question arising out of question No. 462 answered on the 5th November 1935 regarding the opening of an experimental porcelain factory by the Government, whether the matter has been considered and, if so, what is the result of such consideration?

A.—The matter is under examination by the Director of Industries.

Weights and Measures

Proposals for the standardization of weights and measures.

* 358 *Q.*—Mr. Basheer Ahmed Sayeed: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that different weights and measures prevail in different parts of the Presidency;

(*b*) whether the Government have considered the question of standardizing the weights and measures and making them uniform throughout the Presidency;

(*c*) if so, at what stage the proposal is and what steps the Government intend to take in the direction;

(*d*) whether there is any ordinary or special staff for the stamping of weights and measures in the districts of Coimbatore, South Arcot and Chingleput;

(*e*) if so, what the strength of the staff and the salary paid to each of them are; what the nature of their appointment and the tenure of their service are; and

(*f*) what the area that each one of the employees has to cover is, and what their duties are?

A.—(*a*) Yes.

(*b*) Yes.

(*c*) The question is under the consideration of the Provincial *Economic Council*. The Government await its report.

(*d*) *to* (*f*) A statement* giving the particulars required is attached.

Mr. K. A. Nachiyappa Gounder:—" Will the Hon. Minister ask the Economic Council to expedite their report on the Weights and Measures Bill? "

The Hon. Mr. P. T. Rajan:—" Subject to correction, I am told that the report has been sent up to the Government by the sub-committee; before the Government take action on it, it will have to be considered by the Committee as a whole."

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* Printed as Appendix I on page 799 infra.

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Mr. K. A. NACHIYAPPA GOUNDER:—" Will the Government publish the report as early as possible for the information of the public? "

The Hon. Mr. P. T. RAJAN:—" Not till the Government have made up their mind as to what they are going to do."

Mr. K. A. NACHIYAPPA GOUNDER:—" Will not the Government publish this report also as soon as it is signed, as they did in other cases? "

The Hon. Mr. P. T. RAJAN:—" It may be done; but in this instance we propose to go into the report and see whether it should be published or not."

Mr. BASHEER AHMED SAYEED:—" May I ask whether the Government considers that the staff periodically employed for the detection of false weights and measures, is adequate? "

The Hon. Mr. P. T. RAJAN:—" Yes, in so far as the finances permit."

Mr. BASHEER AHMED SAYEED:—" Is it not a fact that in the case of the Coimbatore district petitions have been sent to the District Collector that there is use of false weights and measures on a large scale and that the appointment of one man for supervision for a period of two or three months is hardly sufficient to cope with the amount of work? "

The Hon. Mr. P. T. RAJAN:—" From the figures that have been supplied to the Government, I do not think there are numerous cases of this kind."

Alleged user of false weights and measures in Coimbatore district.

* 359 *Q*.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that the petition of one Mr. Khader Sahib, salt merchant, Erode, dated 29th January 1936, and addressed to the District Magistrate and Subdivisional Magistrate, in the matter of the use of false measures and weights on a large scale in Erode has not been attended to so far;

(*b*) whether there are any rules and regulations in force or any instruction issued to the subordinate police authorities for the periodic inspection of the weights and measures used by merchants in the town of Erode;

(*c*) what the number is of cases of the use of false weights and measures detected in the district of Coimbatore and in the town of Erode in particular during the years 1933, 1934, 1935 and 1936;

(*d*) how many of such cases were charge-sheeted and how many ended in conviction;

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(*e*) what the income to the Government was through such fines levied in cases in each of the years 1933, 1934, 1935 and 1936; and

(*f*) whether specific instances of non-compliance with the rules have been brought to the notice of the authorities in Coimbatore district and, if so, what action has been taken thereon?

A.—(*a*) The petition, dated 29th January 1936, from Mr. Khader Sahib, salt merchant, Erode, was considered and the Subdivisional Magistrates of Gobichettipalayam and Erode reported that the allegations in the petition were unsubstantiated.

(*b*) Board's Standing Order No. 204 deals with matters connected with weights and measures. No special instructions have been issued to the police at Erode.

(*c*), (*d*) & (*e*) A statement [a] furnishing the information, so far as available, is appended. As separate figures of cases for the town of Erode are not available, the figures for the Erode taluk are given.

(*f*) It is not clear to what rules reference is made here.

Mr. BASHEER AHMED SAYEED:—" May I ask whether the Government called for any reports from the Collector of the district before this question was answered? "

The Hon. Mr. P. T. RAJAN:—" The answers are based on the reports submitted by the Collector and the Board of Revenue."

Mr. K. A. NACHIYAPPA GOUNDER:—" Are not local boards expected to take action in this matter and are they taking action? "

The Hon. Mr. P. T. RAJAN:—" I cannot give the answer offhand."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Will the Government see that proper weights and measures are maintained, and that similar action is taken in every district? "

The Hon. Mr. P. T. RAJAN:—" That will be done as far as possible."

Mr. BASHEER AHMED SAYEED:—" Is the Hon. Minister aware that 50 false weights and measures gathered by Mr. Khader Sahib were presented to the Divisional Officer in Erode taluk alone? "

The Hon. Mr. P. T. RAJAN:—" Not that I am aware of."

Mr. BASHEER AHMED SAYEED:—" Will he call for information on that point? "

The Hon. Mr. P. T. RAJAN:—" I shall consider the suggestion."

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[a] Printed as Appendix II on page 799 infra.

Medical Administration

Proposals for the provision of a modern type of laundry for the Government Mental Hospital, Madras.

* 360 *Q.*—Mr. BASHEER AHMED SAYEED: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether any up-to-date and modern type of laundry has been proposed for the Madras Mental Hospital;

(*b*) if so, when the proposal was made and what the estimated cost of the same is; and

(*c*) whether it is a fact that the need for such a laundry has become far more urgent to-day than ever before?

A.—(*a*) The establishment of a steam laundry has been proposed.

(*b*) In February 1935. The estimated cost has not been worked out.

(*c*) Yes.

Improvements to the drainage system of the Government Mental Hospital, Madras.

* 361 *Q.*—Mr. BASHEER AHMED SAYEED: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether any improved type of drainage arrangement has been introduced in the Madras Mental Hospital since the last Annual Report of 1934;

(*b*) whether it is a fact that the present surface open drainage system now in vogue in the Madras Mental Hospital has proved very defective and conduces to insanitation;

(*c*) whether there is any proposal to bring in an underground drainage system in the Madras Mental Hospital and how long this proposal has been pending; and

(*d*) when the Government propose to sanction and execute the same?

A.—(*a*) No.

(*o*) Yes.

(*c*) & (*d*) The hon. Member is referred to the answer to question No. 898, dated 12th March 1936. The main scheme referred to therein was designed to provide an underground system of drainage for the hospital. This scheme was sanctioned in 1929 but was not proceeded with pending the question of remodelling the hospital buildings. The report of the Surgeon-General referred to in the answer to question No. 898 has not yet been received. Necessary action will be taken on receipt of the report.

Report of inspection by the official and non-official visitors to the Government Mental Hospital, Madras.

* 362 *Q.*—Mr. Basheer Ahmed Sayeed: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) how often do the official and non-official visitors to the Madras Mental Hospital inspect the hospital;

(*b*) whether any reports of their inspection are sent to the Government;

(*c*) whether the said visitors have at any time commented on the question of accommodation and drainage in the Madras Mental Hospital; and

(*d*) what action the Government have taken on their comments?

A.—(*a*) Once every month in batches of two or more.

(*b*) & (*c*) Yes.

(*d*) The hon. Member is referred to the answers to questions Nos. 172 and 361.

Mr. Basheer Ahmed Sayeed:—"May I ask whether the Government propose to expedite these schemes and thus render as much relief as possible to this Mental Hospital?"

The Hon. Mr. P. T. Rajan:—"The Government propose to do that."

Public Health

Hereditary rights to posts of vaccinators.

* 363 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) whether hereditary rights are considered in the appointment of vaccinators in the Health department, provided the successors are duly qualified;

(*b*) whether there is any definite rule to that effect; and

(*c*) if so, whether a copy of it will be placed on the table?

A.—(*a*) & (*b*) No.

(*c*) The question does not arise.

Control of Vehicles

Restrictions on the number of motor vehicles plying in Tinnevelly district.

* 364 *Q.*—Mr. J. M. Smith: Will the Hon. the Home Member be pleased to state—

(*a*) whether Government are aware that a notice has been served on 40 bus-owners in East Tinnevelly district restraining them from running their buses from 1st October 1936 under penalty if they fail to do so;

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(b) whether Government are aware that no reasons have been given for this order;

(c) under what Government Order or Act may the District Collector, District Superintendent of Police and District Board President of Tinnevelly or any other district form themselves into a committee to consider and decide what transport shall run in their respective districts;

(d) whether the Government are prepared to issue orders removing any restriction on the numbers of buses or lorries running in all districts of Madras Presidency; and

(e) whether Government have received a complaint from a large body of the public in Tinnevelly on the subject of road transport; if so, what is the nature of the complaint?

A.—(a) No. Certain bus-owners of the Tinnevelly district have represented that notices have been served on them directing that buses should not ply for hire on the Palamcottah-Srivaikuutam-Tiruchendur and Tiruchendur-Kulasekharapatnam routes with effect from the 1st October 1936.

(b) The notice purports to have heen issued as a result of a decision reached at a conference held in the District Magistrate's bungalow on the 8th June 1936.

(c) The attention of the hon. Member is invited to G.O. No. 1741, Law (General), dated the 7th June 1934, a copy of which is to be found in the Legislative Council library.

(d) No.

(e) The Government have received petitions from persons residing in Kulasekharapatnam, Tiruchendur and other villages of the Tiruchendur taluk protesting against the proposed stoppage of the hus traffic on certain roads.

Mr. J. M. Smith :—" With reference to the answer (b), will the Hon. Memher be pleased to state who attended the conference held in the District Magistrate's bungalow? "

The Hon. Mr. C. F. Brackenbury :—" We have not got that information, Sir; I suppose the District Magistrate, the District Superintendent of Police and the President of the District Board."

Mr. J. M. Smith :—" May I know whether any opportunity was given to bus-owners to state their case at the conference? "

The Hon. Mr. C. F. Brackenbury :—" I am not aware of it; I may say that a full report has already been called for."

Diwan Bahadur M. Gopalaswami Mudaliyar :—" In connexion with the committee that is being constituted to control the vehicles to be used on certain routes, is it not desirable that non-official members should be included along with the District Superintendent of Police? "

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The Hon. Mr. C. F. BRACKENBURY:—" It is a matter of opinion; I have no objection to consider the suggestion."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the Government will give representation to bus-owners also so that their case may be represented before the committee? "

The Hon. Mr. C. F. BRACKENBURY:—" No objection to consider that also."

Mr. BASHEER AHMED SAYEED:—" Will the Hon. Member be pleased to state whether, in the matter of issuing licences and endorsement of permits, they take into consideration the amount of railway traffic before they increase or restrict the number of buses in a particular route? "

The Hon. Mr. C. F. BRACKENBURY:—" It is not possible to say what are the considerations they take notice of."

Mr. T. S. RAMASWAMI AYYAR:—" What measures are the Government taking to co-ordinate rail and motor transport? "

The Hon. Mr. C. F. BRACKENBURY:—" No action has been taken here. I would suggest to the hon. Member to peruse the proceedings of the Legislative Assembly, which is now in Session; notice has been given of various amendments to the Motor Vehicles Act."

Mr. BASHEER AHMED SAYEED:—" Is the Hon. Member aware that the South Indian Railway Company has been hard hit by the increase in the amount of motor traffic? "

The Hon. Mr. C. F. BRACKENBURY:—" I am not aware of that."

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, AND TO AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934, FOR CERTAIN PURPOSES (BILL No. 11 OF 1936)—*cont.*

* The Hon. the PRESIDENT:—" The House will now proceed to discuss the motion before the House, namely, that the Bill further to amend the Madras Estates Land Act, 1908, and to amend the Madras Estates Land (Amendment) Act, 1934, for certain purposes be passed into law."

* The Hon. Sir CHARLES SOUTER:—" Mr. President, Sir, with your permission and with the permission of the House, I should like to move that the further consideration of the Madras Estates Land (Amendment) Bill be adjourned for a short time, and that I may be permitted to move the Bill which stands in my name, Bill No. 14 of 1936—item No. IV in the agenda, after which I hope we shall be able to take up the consideration of the Madras Estates Land Act (Amending) Bill." 11 a.

* The Hon. the PRESIDENT :—" The question is that the further consideration of the Madras Estates Land (Amendment) Bill be adjourned for a short time."

Mr. BASHEER AHMED SAYEED :—" No seconder, Sir."

* The Hon. the PRESIDENT :—" Government motions need not be seconded. The hon. Member may refresh his memory about it."

The motion was put and carried.

III.—A BILL FURTHER TO AMEND THE MADRAS RIVERS CONSERVANCY ACT, 1884, FOR A CERTAIN PURPOSE (BILL No. 14 OF 1936).

* The Hon. Sir CHARLES SOUTER :—" Sir, I beg to introduce a Bill [a] further to amend the Madras Rivers Conservancy Act, 1884, for a certain purpose (Bill No. 14 of 1936) and move that the Bill be taken into consideration at once.

" Sir, the object of this Bill is to constitute the Board of Revenue as the appellate authority under the proviso to section 14 of the Madras Rivers Conservancy Act, 1884. The House is aware that under the new Government of India Act, in cases like this, the Governor has to appoint a tribunal to hear appeals in certain cases; and as the House also knows, we have already brought forward similar measures in regard to other Acts to which legislative sanction of this nature has been already given by this House. In this case, it is proposed, as in other cases, that the Board of Revenue shall be the tribunal, and so far as I can see, the matter is not one of controversy. I trust, therefore, that the House will support my motion to consider this Bill."

The motion was put and carried, and the Bill was taken into consideration.

Clauses 1 and 2.

Clauses 1 and 2 were put and carried.

Preamble.

The Preamble was put and carried.

The Hon. Sir CHARLES SOUTER :—" I now beg to move that Bill No. 14 of 1936 be passed into law."

The motion was put and carried and the Bill was passed into law.

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[a] Published in the *Fort St. George Gazette*, dated 30th June 1936.

IV.—A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL BOARDS ACT, 1920, FOR A CERTAIN PURPOSE (BILL No. 15 OF 1936).

* The Hon. the RAJA OF BOBBILI :—" I beg to introduce a Bill [a] further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for a certain purpose (Bill No. 15 of 1936) and move that the Bill be taken into consideration at once.

" The reason why the Government have decided to bring forward this measure before the Council is this: in the recent local board elections, instances have come to the notice of the Government where just on the eve of the elections, or on the eve of the polling day, the filing of injunction petitions gave the court no time to go into the merits of the cases. I understand that elections in consequence have been paralysed in certain cases and that great inconvenience has been caused to the public as well as to the officers conducting the elections. It is therefore considered desirable that the elections are conducted under the rules framed under the Act and that no civil court should be permitted to grant either permanent or temporary injunctions or to make any interim order in this connexion. I would like to take this opportunity of drawing the attention of hon. Members to the fact that in this respect, we are only conforming ourselves to the law as it exists at present in western countries. At the same time I wish to make it clear that this amendment does not take away the jurisdiction of the civil courts at all, either during the conduct of the elections or afterwards. All we say is that no injunctions or interim orders restraining the election proceedings should be issued by the courts. I commend this motion for the acceptance of the House."

Mr. K. A. NACHIYAPPA GOUNDER :—" Mr. President, Sir, I beg to move the motion standing in my name, viz.— 11-3 a.

' *that the consideration of Bill No.* 15 *of* 1936 *be adjourned* sine die.'

" Sir, this Bill has been brought forward and we have been asked to get through the Bill immediately. I submit that this Bill cannot be considered to be of an ordinary nature since it infringes upon the rights of individuals and the rights of the courts which they have so far been exercising. So, I think we should not try to take away such rights in a light-hearted fashion. In the Statement of Objects and Reasons, it is stated that great administrative inconvenience is caused by elections being held up by a few irresponsible persons by going to court. It may be true to some extent. But on the other hand in the case of elections which are not conducted in a proper manner, there must be sufficient provisions to stop such elections. The Government may contend that they have got all their officers and that they would conduct the elections properly and that there is no need for a court to interfere in such matters. We find, Sir, that the officers who are conducting the elections are after all the subordinates of the Government

[a] Published in the *Fort St. George Gazette*, dated 30th June 1936.

who are led mainly by party considerations and if such officers are to be entrusted with this work solely without any right of injunction to have an irregularity arrested at the proper moment, we cannot believe for a moment, Sir, that the rights of individuals are quite safe. In the Statement of Objects and Reasons we find it stated that it causes considerable inconveniences; it has become possible for a few irresponsible persons to hold up elections but I may point out, Sir, that a great many responsible persons also would be affected if this right is taken away. When they find that things are not done in the way they ought to be done, what is happening at present is, they immediately rush to court and see that the proceedings are stayed and their difficulties are remedied and justice is done. On the other hand, if you take away that right, they have no other go; and at a later stage when the elections are over, they will have to go to a court to settle the question by means of an election suit, and it will of course take an unduly long time before which a good part of the term of that body may perhaps be over. So, Sir, we must give some protection for such persons and such protection can only be made by allowing the provision for injunction to exist.

" After all, Sir, the courts grant injunctions only in cases in which they are satisfied that there is sufficient cause; otherwise they would not grant such orders of injunctions unhesitatingly. Even if injunction petitions are filed before courts, it is not always at the nick of the moment, and the courts grant the injunction, and in a few days' time they go through the question and give a final decision in the matter so that there may not be any inconvenience whatsoever at a later stage and at a great cost. Even otherwise, we find that in the matter of the conduct of elections, Government themselves do not hesitate much to interfere in the matter and we have seen enough of it in the elections to the Chingleput District Board where the Government altered the polling stations even on the eve of the elections. Further, Sir, at the time of the last elections, we were told that the division of circles would be made on the basis of revenue firkas; but what is it that took place in the District Board elections of South Arcot? "

* The Hon. the PRESIDENT :—" Order, order, I think it is not proper on the part of the hon. Member to mix up other issues with this particular subject. He will do well to deal with the subject of the motion instead of going into the question of formation of circles and so on."

* Mr. K. A. NACHIYAPPA GOUNDER :—" Sir, my object in referring to these things is, that I want to show that the Government themselves readily and even without sufficient cause meddle with the elections. If anybody, either Government or an individual, tries to take the course of the elections out of the way, injunctions will be absolutely necessary to protect the individual's rights against such interference.

That is the point which I wanted to explain and so I was obliged to go into those matters. Anyhow, I bow to your ruling, Sir. I do not want to go at length into the merits of the question, but will simply content myself with mentioning it. Taking all these things into consideration we must have an independent judicial authority to enter into the merits of the question and come to a decision. It need not be taken, Sir, that we are particularly accusing the present party-in-power in regard to these things. My point is, that it is up to any other party which comes into power to deal with the thing in such a way as to take advantage of the opportunity for party considerations if they take into their head to do so. In order to avoid that sort of thing, I think, Sir, it is quite necessary that the court should have a right to deal with that and the individuals should have sufficient scope to exercise their just rights. In view of these things, Sir, I am compelled to feel that a Bill of this nature is premature and should not be taken up for consideration at this moment.

" Another point I would like to mention is this. Though the Bill appears small and an ordinary one, it is really a very important Bill since it touches the rights of individuals and courts which they have so far enjoyed and exercised and as such at the fag end of the life of the Council and that too an extended council which has stood for three years more than its normal term, it is not proper that they should try to meddle with the rights so far exercised by people. If on the other hand, there are sufficient reasons which compel the Government to introduce a Bill in the near future, let it be done by the new Legislature, and the public will then feel confident that their rights are not infringed upon and they may also have the consolation that their proper representatives have tackled the question and arrived at such a conclusion. So, Sir, taking all these things into consideration, I propose that the consideration of the Bill be adjourned *sine die.*"

* Mr. T. S. RAMASWAMI AYYAR :—" Sir, I desire to second the motion of my hon. Friend from Salem. The reason for bringing forward this Bill, as mentioned in the Statement of Objects and Reasons, is to prevent administrative inconvenience that may be caused by elections being held up by a few irresponsible persons by going to court. It is rather a very strong expression to say that the courts will lend themselves to the holding up of administration in the province. We know that in the matter of injunction petitions, courts are very chary. If a person goes to a court at the last moment, the courts generally, if not always, refuse to grant the injunction even if there is a prima facie case. That is the principle that is adopted by courts in the matter of granting injunctions. When that is so, it is not correct to say, that if a person goes to court at a late stage and asks for an injunction, administration is held up. As has been pointed out by the hon. the Mover of this amendment it is more often the executive Government that hold up elections than even the courts. We have, as a matter of

fact, seen very many instances of elections being held up at the last moment by means of an executive fiat. When such is the case, I do not think it is fair on the part of the Government to say that while they should continue to have the power, which they have got under the rule-making powers to hold up elections, that the court's jurisdiction should be ousted. This fight about the jurisdiction between the executive and the judiciary is not a new one. The executive always tries to find out ways and means of getting away from judicial decisions on matters that affect them. Unless therefore, a strong case is made out why such a wholesome power should be taken away from the judiciary in matters where the rights of parties are concerned, this Bill is not necessary and we will not be well-advised in allowing this Bill to go through. As has been pointed out by the hon. the Mover, if there is a strong case for it, certainly the new Council that will come hereafter will tackle the question. I do not see any justification why you should rush through this Bill at this fag-end of this Council's term. And I do not think any reason has been adduced why we should sanction the passing of this Bill now."

* The Hon. the PRESIDENT:—"The motion is that the consideration of Bill No. 15 of 1936 be adjourned *sine die*.

"Does Mr. Basheer Ahmed wish to move his motion?"

Mr. BASHEER AHMED SAYEED:—"I shall move it after this motion is disposed of."

* The Hon. the PRESIDENT:—"I think it would be much better if he moves his motion, so that we can have discussion on the two motions and then put them to vote one after the other."

Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, I rise to move—

'*that Bill No.* 15 *of* 1936 *be circulated for the purpose of eliciting opinion thereon.*'

Sir, the hon. Gentlemen who preceded me have given the reasons why the Bill should not be proceeded with at this stage and the justification for making a motion that the consideration of the Bill should be postponed *sine die*. My motion, Sir, is a shorter one, viz., that the Bill be circulated for eliciting opinion. If the Government is really convinced that this Bill is necessary in the interests of the administration of local bodies and the municipalities, I would consider that it should have no objection to eliciting public opinion on an important issue like this. I want the House to realize that this Bill raises a very important issue, namely, whether administrative convenience is paramount or the rights of the people, the citizens who are affected or who will be affected by a measure of this kind, are paramount. So,

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Sir, the rights of the public, the citizens, the voters and the intending candidates are involved in a measure like this. Administrative convenience is no doubt one of the considerations which weighs with the Government. Nobody has any quarrel with that, but what is the scope and what is the significance of the amendment that the Government now propose to pass? Sir, it is the elementary principle of law that any person who feels that he is aggrieved or that he has a grievance on account of some omission or commission on the part of any executive authority, or an election officer or any other person, could proceed to a court of law and vindicate the rights which he thinks have been denied to him or which he thinks have been encroached upon. That right, hon. Members will realize, is being encroached upon by the Government by this measure. As a matter of fact, it is the right of any citizen to go to a court of law and say that the publication of the preliminary electoral roll or the final roll in the form in which it is sought to be done, affects very seriously his rights or to say that the conduct of an election in the state of affairs existing at that time would seriously affect his rights as a citizen and as a ratepayer. Now, Sir, the choice is, to respect either the inherent rights of citizens in the matter of elections to elect representatives to represent the people and to serve the country, or merely administrative inconveniences—small and probably exaggerated. After all, Sir, the Hon. the Minister has not made out any case by quoting any instances of such frivolous use by citizens.

"Another point involved in this measure is this. The fact that the Government have brought forward such a measure gives room to the public at large to think that the Government have lost confidence in the courts of justice established by them or that they are fast losing confidence and faith in the courts of law that are functioning in this country. That is the impression that any 11-a
person will reasonably form from a measure of this kind. If it is really suggested that the executive authority has no faith or confidence in the Judiciary, it is open to it to reconstitute the Judiciary and to overhaul the whole judicial system of administration and get rid of all those inconveniences. But what are the Government doing? Straightaway by amending one section by an amending Bill they want to take away the rights of citizens to go to a court of law and get justice. It is not certainly the right method. Have the courts abused the power that is vested in them? I do not think that the Hon. Minister ever referred to the courts as having abused their power or the discretion vested in them to grant or refuse injunctions. If so, it is open to the Government to take some radical steps to put down such abuse either by constituting these courts in such a way as to have them presided over by more competent, able and experienced judicial officers or to reconstitute the whole Judicial system of administration in the Presidency. Far from thinking of or doing any such thing, the Government have simply come down, I should say, with a condemnation of the method and

manner in which justice is being administered in these courts. Otherwise there must be no justification whatsoever for saying that notwithstanding anything contained in the Civil Procedure Code or the Specific Relief Act or any other law that has been validly passed by the legislatures of the country, the powers vested in the courts shall be taken away and the executive authority shall have free play and their own whims and fancies ought to be respected. I would ask hon. Members of this House to seriously consider what exactly is the implication and scope of this amending Bill. The damage that would be done to the public in the matter of their right would be immeasurable. The party who feels affected by certain irregularity makes certain allegations, swears to affidavits and on the strength of this and on the evidence of both the parties, the courts decide the matter one way or the other. It is not as if the courts are granting the injunction merely for the asking of it. On the other hand, the system of justice that prevails in this country is such that both parties to the dispute should be heard and opportunities should be given to them to present their case and then only is the decision come to. The enquiry is certainly according to the substantive law that is being administered in this country. It is open to the Government to come forward with instances when the courts had abused their prerogative or their right of discretion and have used their discretion wrongly. It is a sad reflection not only on the parties involved in such proceedings, not only on the legal talents that have been responsible for the administration of law in this country but also the very judiciary, to say that the power to grant injunctions or refuse injunctions is being abused by irresponsible persons. The irresponsible person is only a link in the whole machinery. Is it seriously suggested that the mere fact of a person putting in an application is enough for the civil courts to grant injunctions and that too against the Government which is the authority conducting the elections through the special officer-in-charge of the elections?

"There is another point which I would like to urge on this occasion. This is a matter which has seriously affected the rights of the public. Reason and fairness require that not only should this Bill have been circulated to the public bodies concerned but also sufficient time should have been given to the public at large to reflect and think over the implications of this Bill. The Bill was published only the other day and before hardly a month has elapsed you want it to be passed into law. It would have been fair if the Government had asked for the advice of the High Court, the supreme court of justice in this country. I ask, Sir, if the Government called upon legal associations like the Advocates' Association, the Mufassal Bar Associations to express their opinion. I see that no such thing has been done. The mere publication of this measure in the *Fort St. George Gazette* does not *ipso facto* mean that the public had had notice of it. What is the number of those people who read the *Fort St. George Gazette* and what is the number of people who know that there is a publication which is

called the '*Fort St. George Gazette*' that is being published from week to week? You have satisfied a mere requirement of law which again is a matter of administrative convenience. I think it is incumbent upon the Government whenever they encroach upon the rights of the public to take the public into confidence and tell them: 'Here you have some vested legal right and we are going to encroach upon it and we are going to introduce a law to put a big block in the way of your getting relief in the matter of election disputes from a court of law.' What have you to say? At least courtesy required that the legal associations in this country should have been consulted before a measure of this kind was introduced. I feel that I am not making an unreasonable request when I move that the Bill be circulated for public opinion. Probably Government may stand to gain by such an appeal. It might be that there are several people who feel with the Government that these administrative inconveniences are irksome and ought to be put an end to and that whatever may be the scope of the electoral rules and the method or the manner of the conduct of the elections, it is useless to bother oneself with them and are prepared to allow the Government to go on in its own way. If such a view of the case came about, their hands would be strengthened. But if on the other hand, the public feel that what the Government is doing is too drastic and is too big an encroachment on their rights to be allowed to be passed into law, then certainly it behoves the Government to give some consideration to the public opinion before it thinks of proceeding further with the measure. I have therefore great pleasure in moving that the Bill be circulated for eliciting public opinion."

Rao Bahadur P. C. MUTHU CHETTIYAR spoke in Tamil in seconding the motion and the following is an English summary of the speech:—

"He did not see any necessity to so drastically interfere with the functions of the court. It was recently that the law regarding the holding of elections in the different local boards was passed. He thought it was too soon to come up with such an amending Bill when the programme of the Government had not been seriously interfered with by injunctions and such other things. Had there been any case where, owing to the court's orders, elections could not be held or were there any cases in which the majority of the candidates returned were restrained from taking charge of their duties? It ought to be remembered that for instituting such proceedings one ought to have the money and the mind to spend on such useless things as an election case, which can only expose a certain irregularity. Such being the case, cases may not come in such large numbers as to upset the programme of the Government. He considered, therefore, that this sort of legislation was not called for.

"As for the publication of the Bill in the *Fort St. George Gazette*, he did not consider that that was the best way of giving notice to the

public that such a measure as that was going to be passed into lav As for himself, he had been getting a copy of the Gazette in virtu of a seat in the Council, but he had not spent much time over it. An he was doubtful if that was not the case with every ordinary persoı He considered that he received it as a sort of formality. It cannot l said that due and proper notice has been given to the public abou the measure. Therefore, he seconded the motion for the circulation (the Bill for eliciting opinion."

Mr. P. V. KRISHNAYYA CHOUDARI :—" Mr. President, Sir, this Bil has been introduced for the purpose of avoiding litigation troubles i connexion with elections. Not only that. After all, the arrangemen for an election are made by the candidates as well as by the Govern ment through the Special Officer-in-charge of elections; if an injunctioı is received, all the arrangements made by the Government and th candidates go in vain. It is a waste not of public funds but of th district board funds, as such charges are debited to the funds of th district boards. Polling officers and presiding officers may have beeı instructed to go to particular polling stations. All this goes in vaiı if a person approaches the civil court and gets an injunction. If remember right, even under the present Act there is no provision fo going to court. If there are any irregularities, they have to go to aı Election Commissioner and he has to decide the matter one way or th other. So, there is no necessity for going to the courts, when ther is a quick disposal of such petitions by a special tribunal appointe for going into these things. Even as it is, the Government have th power to set up their own tribunal for trying these cases. Such bein the case, it need not be said that we are unduly restricting the hand of the courts. Even at present the Government have got the powe of postponing or advancing the date of elections by three months fron the date on which the elections are due. We are not imposing an restrictions in the matter of privileges of the public.

12 noon. " If there is any restriction, I shall be one of those who ar anxious to oppose this legislation. But as matters stand, this already appears in the previous Act which we have supported in this Hous and as such there is no necessity to oppose this Bill. The Bill avoid all complications.

" Another point which Mr. Basheer Ahmed made was whether th Government lost any confidence in courts. No doubt it is for the Gov- ernment to defend themselves. (Interruption.) When I become par of the Government I will defend them. In these circumstances I fee that this need not be circulated and it may be passed into law as it i going to be a beneficial measure for the public."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—" Sir, I beg t oppose both the motions as there is a confusion of thought. Having been

a lawyer for a considerable time, I can speak with some personal knowledge on this matter. All that the Government now say is that inconveniences have been felt because at the last moment these candidates go to court and hold up the elections on the ground that there has been some irregularity. It may be or it may not be an irregularity. But the point is that there would be administrative inconvenience. The polling stations have been arranged, the officers have been arranged, the candidates have been going round, the voters have been asked to vote between certain hours and all these will have to be disturbed. At the last moment the candidate goes to the court and says ' here is an injustice to me and therefore grant me a temporary injunction.' I am rather surprised at the statement made by Mr. Basheer Ahmed who is also a long-standing practitioner that the executive has lost confidence in the judiciary. I am very sorry indeed that he should have made this statement at all."

Mr. BASHEER AHMED SAYEED :—" On a point of personal explanation, Sir. I said that the attempt of the Government only gives rise to the impression that the Government executive authority has lost its confidence in its judiciary. I did not state it as a fact."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—" What I am trying to elucidate is this. It is not the Government that says this. But it is this aspect of the matter that the Government has in view. However much a judge may be impartial, he has to pass an order in connexion with an injunction petition after hearing one side only. There will be no opportunity to hear the other side. A lot of affidavits are filed in courts to give the injunction. Even the granting of the injunction for a period of ten days causes so much disturbance in the administrative machinery. This is the point Government have in view. That is the point which some of those who spoke now have lost sight of.

" There is one other point. I would put it to Mr. Basheer Ahmed, experienced lawyer that he is. It is this. Even supposing the elections go on, it is not that he cannot go to the court of law. Still he has a statutory right to go later on. That does not prevent the administrative machinery being disturbed. I am afraid he seems to forget this. For these reasons I think that this measure should be passed into law, especially at this time when we are on the eve of elections. The electorate is tremendously enlarged. It is now four or five times what it was before and the candidates are going about canvassing. If this measure is not passed, if it is not on the statute book, hon. Members can easily conceive the various consequences that might ensue. I think it would mean enormous ruin to many candidates and those who are concerned in these elections.

" One other point that I would bring to your notice is this. Now that the elections are coming in and elections will be fought out on

one principle or another, if there is not this measure, there may be several persons who may be resorting to courts and then the effect will be there will be several persons who may be prevented from contesting the elections. In that way also there is a hinderance. Hon. Members who have been waxing eloquent the other day on the need for minimizing litigation may utilize this opportunity to minimize litigation. That such people at this juncture should say that the Bill ought not to be passed and that people should be helped to resort to litigation is rather surprising to me."

Mr. U. C. SUBRAHMANYA BHATT:—" Sir, I have great pleasure in supporting both the motions of Mr. Nachiyappa Gounder and Mr. Basheer Ahmed. Mr. President, one of the most fundamental and elementary principles of our jurisprudence is that every wrong has a remedy and what the Bill before us seeks to do is to deny that right to the public at large. The Bill, Sir, prevents any litigation in a civil court on questions touching elections or obtaining any injunction orders from a civil court. No doubt, Sir, there are statutory tribunals set up in order to deal with election disturbances or irregularities. But there have been cases where these election tribunals for one reason or another, especially because the tribunal is pocketed by one party candidate, fail to function at all."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Election tribunals are statutory tribunals."

* *The Hon. the PRESIDENT:—" Mr. Krishnayya Choudari, I hope,* will allow Mr. Bhatt to be brief."

Mr. U. C. SUBRAHMANYA BHATT:—" So much so, Sir, that the individual or the public is denied justice. Under the circumstances it has been the well established law of the land that common law courts give justice in the matter. I may quote the Saidapet instance. The High Court held that when the body set up by the statute fails to function, the common law could have jurisdiction over that matter, because the principle of jurisprudence is that there is no wrong that could not be righted. Especially in a matter where there are political spites and when it is quite likely that statutory tribunals can be pocketed by the party in power, the party contesting the election will be left without any remedy whatsoever. That state of affairs should not be allowed to come into existence in this country. As a matter of fact, I could quote one instance of elections in South Kanara. I believe that the Local Self-Government Department which introduced this Bill introduced it perhaps with an idea of preventing resort to courts in the matter of elections in South Kanara. During the last local board elections the candidates of one party seemed to have got up thousands of bogus leases and shoved them on the election officer."

* The Hon. the PRESIDENT:—"It does not relate to the stopping of elections."

Mr. U. C. SUBRAHMANYA BHATT:—"I am coming to it."

* The Hon. the PRESIDENT:—"Will it take a long time?"

Mr. U. C. SUBRAHMANYA BHATT:—"I will finish it in a few minutes. The election officer without going into those leases to see whether they were true or bogus seems to have put all the names that appeared in the bogus leases in the electoral rolls so much so at the time of scrutiny there were 30,000 leases questioned before the election officer. How can he go into them all in one day? So the matter was not gone into. All objections were thrown out. A major portion was thrown out and bogus leases were given effect to and naturally what happened was the party who was denied his right to challenge those leases went to the court of law. What is wrong there? The question is whether justice is to prevail or the interest of party is to prevail. My submission to you is that sort of state of affairs is nothing but Nazi and anti-democratic and should not be assented to by this legislature."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I am sorry I could not support the motions before the House. Some of us who have had an opportunity of serving in this local bodies feel that a provision as the one in the Bill is a wholesome one. It will go a long way in helping the administration of local boards. It is not only the question of paralysing the working of the boards but bringing losses to the boards.

"Sir, the Government prescribes certain dates by which certain grant had to be utilized and work has to be finished. If the courts come forward and grant injunctions stopping the local boards from doing their normal work, the boards will not only lose the particular grants that will be given to them at a particular period but they will continue to lose the grants year after year if such stopping of elections is brought about by courts year after year. Thereby the very existence of these boards will become a burden to the citizens at large. So, Sir, I think I should oppose the motions that have been moved." 12-1[illegible] p.m.

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. President, Sir, I am surprised that there should be any opposition to a simple Bill of this sort. (Hear, hear). We need not in connexion with this Bill go into the question whether it is proper to oust the jurisdiction of the courts or whether it takes away the vested rights of the citizens of this Presidency. This Bill has no such aims. It is a very simple Bill. Instances have come to the notice of the Government that for trivial irregularities persons have rushed to courts to stop elections. The Government wants that such trivial irregularities should not be the cause for holding up elections. My hon. Friend, Mr. Subrahmanya Bhatt, who waxed so eloquent over this Bill asked whether in these

days when the whole Presidency is torn by political dissentions, it is advisable to have a Bill like this. Admitting Mr. Bhatt's stand to be correct, may I ask whether that is not an argument in favour of this Bill? Sir, the sooner this Bill is passed, the better it will be for all."

* The Hon. the RAJA OF BOBBILI :—" Sir, to my motion that the Bill be taken up for consideration, two amendments have been moved that the consideration be adjourned *sine die* or alternatively that the Bill be circulated for eliciting public opinion under Rule 20-A of the Legislative Council Rules. After carefully listening to the arguments advanced with so much eloquence by my hon. Friends on these motions, I feel Sir, that these hon. Members have totally misunderstood the scope as well as the purpose of this legislation. Of course, the main point urged against this measure is that Government are proposing to take away the jurisdiction of the civil courts in the matter of elections. I may state at once that it is not at all the case, and hon. Members who have been opposing this Bill are doing so under a misconception, reading into the Bill many implications which do not exist. First of all, I may state that even during the proceedings of the elections the jurisdiction of the civil courts has not been taken away. It is always open to the parties to file petitions and for the courts to give judgment that will be binding on all the parties concerned. So, this Bill is not at all intended to oust the jurisdiction of the courts, nor is it the result of any impression in the mind of the Government that the courts are acting in an irresponsible manner. This legislation is intended to meet a particular kind of abuse which has come to the notice of Government in recent elections. An unhealthy practice has come about by which candidates who for some reason or other wish to have these elections postponed wait until the eleventh hour and then put in a petition before the court giving the court no time to issue notice to the parties concerned. There have been cases where courts have granted injunctions without notice to the parties or without hearing the other side, which have resulted, as I have already said, in paralysing the election machinery altogether. As the hon. Members are aware, elections are conducted under rules framed under the Madras Local Boards Act, and a special election machinery has to be set up and special election officers also have to be set up. As regards the electoral rolls, there is provided an appeal to the Inspector of Local Boards over the orders of the election officer. But parties, without availing all these facilities, wait until the day before the elections and want to take advantage of the fact that there is no time available for the court to issue notice to the other side to hear them, and get injunctions stopping the conduct of the elections. We find there have been many cases where courts after hearing both sides satisfied themselves that there is no ground for injunction, and dismissed the petition. But unfortunately, in the meantime the mischief would have been done, and the party who instituted the proceedings would have achieved their object by gaining time. If a party is really and genuinely aggrieved, it is open to him to file a

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petition in the court in proper time even while the election is proceeding and get the decision of the court which will be binding on all the parties concerned. I hope I have made it clear that this amending Bill therefore does not aim at ousting the jurisdiction of the court. All we are against is that no injunction, either permanent or temporary, should be granted and that no order restraining the conduct of elections should be issued. Apart from this, it is open to the parties after the elections to seek the remedy through courts, and if any party has abused the powers or misbehaved the consequences will be all the greater after the elections. I believe, Sir, that quite without any basis statements have been made that proposals of this kind create an impression in the public mind that Government have lost confidence in the judiciary. There is absolutely no foundation for such a charge.

"As regards circulation of the Bill, I may say that Government have come to the conclusion after experience in the last elections that it is necessary to bring the law with reference to the conduct of elections more or less into line with what is prevalent in other countries. In view of the ensuing district board elections it is absolutely essential in the public interest that this measure should be placed on the Statute Book. I am therefore unable to accept either of the two amendments, and I have therefore to oppose them."

* Mr. K. A. NACHIYAPPA GOUNDER :—" Mr. President, I am sorry to find my hon. Friend, Mr. Krishnayya Choudari, who has all along been accustomed to fight for the rights of the public coming forward and saying that this Bill does not infringe on the rights of the public. I am really surprised to hear such a statement from him. Perhaps there is something strange in him now."

Mr. P. V. KRISHNAYYA CHOUDARI :—" On a matter of personal explanation, Sir. Because I am fighting for the cause of the ryot, I feel that it is my duty to support this Bill as it is in the interests of the people."

* Mr. K. A. NACHIYAPPA GOUNDER :—" It may be so according to the conceptions he seems to have acquired of late. I do not think, Sir, that he, as I know him, thinks in his heart of hearts that his arguments are for the public cause and I am at a loss to find any reason to think for a moment that it is for the public cause that he wants to have this Bill rushed through.

" With regard to Mr. Gopalaswami Mudaliyar's arguments, his idea is that the elections have become so enlarged so much so that such a measure as this is necessary. But these enlarged elections have come in not now but three or four years ago. At that time, when the elections had to be conducted throughout the Presidency, the Government did not find any difficulty. If they could have come forward with a measure like this immediately after these elections I could have appreciated it. Those elections had taken place long ago and for the

long period of four years, they have not taken any step whatsoever in regard to this matter. After all, the elections at present cannot be said to be enlarged elections, unless he is having in his mind the elections to the provincial Legislative Assembly. With regard to local board elections, this argument does not hold good.

" Coming to the argument about the ruining of the parties, I may say, Sir, that in any way, if they want to go to the court, they will have to spend money whether before or after the elections. If it is after the election is over, they will have to spend huge sums without getting any immediate results. I ask, how are you going to prevent the parties from being ruined by the provisions that you are bringing up now.

" With regard to the argument of minimising of litigation, I do not think that this provision will be able to minimise litigation. Any way, if a party is aggrieved and if he is not enabled to go in for an immediate injunction, he will be going to the court at least later on with an election suit. In that way he is bound to spend his money and encounter a prolonged litigation instead of nipping a wrong in the bud. So, we are not preventing any unnecessary litigation by this Bill, because it is bound to come in if one is bent upon taking to litigation.

2-30 p.m. " My hon. Friend, Mr. Narayanan Nambiyar, said that it is a simple Bill and that it ought not to be possible for trivial matters to rush to courts and bring in injunctions which paralyse the election machinery. Sir, it may be in one particular case a trivial matter, but in another case it may be a matter of very great magnitude and importance. It cannot therefore be said easily that all cases in which election petitions are put in and injunctions obtained are trivial.

" The Hon. the Raja Sahib said that I have misunderstood the scope of the Bill. That is not the case. We have correctly understood the scope of the Bill and that is why I say that it is not right to infringe the liberty of the people in this matter.

" The Hon. Minister also said that the parties have abused this right and have rushed to court on flimsy grounds and brought the election machinery to a standstill. If we are to go in search of cases where the elections have been brought to a standstill, many instances where the Government themselves have done so readily come up to my mind. They have disturbed the course of elections to West Godavari District Board, the President's election of South Kanara District Board and so on. I do not think, therefore, he is right that the parties alone are abusing their rights in this matter. It is done much more by the Hon. the Minister in the name of Government. (Mr. U. C. Subrahmanya Bhatt: 'Hear, hear.') I do not deny that in one or two instances the parties have abused this right, but in the majority of cases the parties go to court only when they are really aggrieved.

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"The Hon. Minister stated the practice in England is the same as this Bill and said that he wants to bring our law in line with what obtains there. I do not think the conditions here are such that we can safely adopt their practice in this case. They are accustomed to these elections for centuries and we have experience of them only for fifteen years or so. We cannot therefore compare the position here with the position in England and adopt their practices and put down the rights of parties so long enjoyed by them. Taking all these things into consideration, I think there is no need for hurrying with this legislation. As has been suggested by me previously, if the Government think that a legislation of this kind is necessary, let them allow it to be taken up by the new legislature. My submission is that a legislature of this kind which has outlived its period should not, in this light-hearted manner infringe the rights of the public. I am indeed sorry, Sir, that a measure of this kind should be brought in by Government and rushed through in this manner relying upon their numerical strength, whatever may be the fate. I wish to press my motion."

Mr. BASHEER AHMED SAYEED:—"Sir, I do not want to take up the time of the House with any very elaborate reply. I would only invite the attention of this House to the tenor of the Bill. The clauses of the Bill say: '. . . no court shall grant any permanent or temporary injunction or make any *interim* order . . .' The court cannot even pass an *interim* order! It looks as though this Bill seeks to encroach upon the rights of the High Court inherently vested in it, having been constituted under the Letters Patent. 'No court' would imply not even the High Court. I do not know how far this measure would be in keeping with the rights vested in the High Court under the Letters Patent. Look at the language of the section. An *interim* order may mean a writ of *certiorari*. It is presumed that the High Court also is not entitled to issue a writ of *certiorari*, under this amending Bill.

"Another thing I wish to point out is this: Already, under the election rules, we have crippled the possibilities of any unnecessary litigation. For, the rules have definitely laid down that an election petition can be preferred only on such and such a ground. All that we can do now is to see that the rights now enjoyed by us are not encroached upon before the election takes place. That little scope that is now left to us is being sought to be encroached upon by this Bill. That is the point I want to mention.

"The hon. Member from Bellary forgot the very elementary principle of jurisprudence that a citizen can enjoy his right only to the extent to which he does not violate or encroach upon the rights of others. If any citizen is affected by any irregular procedure of any executive authority, he has a right to get redress and, if in asserting that right or vindicating that right any one is inconvenienced, he is

not going to lose that right. That every man is at liberty to enjoy his right without violating the rights of others is a principle which cannot be disregarded.

"The hon. Member from Guntur gave reasons which are not contained in the Statement of Objects and Reasons. The statement of Objects and Reasons confines itself to the inconvenience to the administrative machinery. It seeks to put an end to that inconvenience and establish a self-contained machinery. I do not know in what way the present machinery is wanting. The hon. Member from Guntur, apparently a prospective defender of the Government, has given reasons which evidently have not suggested themselves to the Government. I wish him success, Sir. The other reason trotted out by my hon. Friend was the cost of elections. The cost of elections is not a thing that the Government have to take into consideration. That is the concern of the public. When rights of citizens are involved, cost of election is a minor matter.

"The hon. Member from Malabar representing the non-Muslim *constituency made a statement in a very irresponsible fashion that* courts are giving injunctions even for trivial irregularities. That is a very sad reflection and quite inappropriate on the part of a member of the legal profession to say that the courts are granting injunctions on trivial irregularities. Sir, the law of injunctions requires that injunctions can be granted only when there is irreparable damage caused to the rights of a party that there cannot be any adequate compensation by way of damages to the party. Only in such a case injunction is to be granted. If it could be shown that compensation could be given for such damages, the courts will never exercise their discretion to grant injunctions. My hon. Friend conveniently forgot that in his enthusiasm to support this measure.

"I understood the Hon. Minister in charge to say that the courts have granted injunctions in the exercise of their discretion even in cases where no satisfactory evidence existed. I suggest that, in that case, it is up to him and the Hon. the Law Member to institute an enquiry as to the efficiency of the officers whom they have appointed to administer justice in their courts. It does not mean that the rights of the public should be taken away by a measure of this kind. I think if they have instances which have gone to prove that the courts have misused the power vested in them for the exercise of their discretionary right, then they should certainly establish a court of enquiry and find out where exactly the defect lies.

"My Hon. Friend the Minister in charge said that parties go to court at the last moment. Certainly so. They resort to other remedies and attempt to get every relief before they go to court. It is not usual for the parties to go to court in the first instance. They are well aware that even costs will be awarded to be paid to the other side sometimes.

it is not the mentality of our people to go to court if there are er remedies. Our people are very reluctant to go to court on account the cost of litigation and on account of the trouble involved. It is y in the last resort that people go to court. It is not for the Governnt to dictate as to when the parties should go to court. They may to court at the last moment when they fail to get satisfaction otherse. If the people are confident that they will get justice at the ıds of the Government, they would not go to court at all. It is not us to say that the parties should not go to court. It is hardly fair say that they go to court at the last moment and get *ex parte* injuncns. Sir, *ex parte* injunctions are not granted usually. They are a ity. Unless and until the court is convinced that an injury is ıng to be done and that it cannot be remedied by any other means, will not exercise its discretionary powers. Sir, if your idea is to oid the parties going to court in the last moment, then certainly the ıending Bill ought to be framed differently. They ought to say that petition shall be entertained by a court before a week or a fortnight the date fixed for election or publication of the rolls. That would ve been more appropriate. It is open to Government to fix in the ection rules that petitions shall not be entertained in courts unless ey are filed within a definite time. But that is not your object. our object is different. You obtained the Governor-General's sanction r this Bill. Why? Hon. Members will remember that the Governoreneral's sanction is required whenever the civil rights or the criminal ghts of parties are affected. They have gone to the Governor-General ecause they are affecting the civil rights of the parties. But for the nction of the Governor-General this Bill could not have been brought . When therefore they are affecting the rights of the parties, I only lead that some opportunity may be given to the public and to the arties interested to say what they have to say on the motion made y the Hon. Minister. I would therefore say, Sir, that it is but fair ıat there should be circulation of this Bill."

* The Hon. the PRESIDENT:—" I will put the amendments one after e other.

" The question is that the consideration of Bill No. 15 of 1936 be djourned *sine die*."

The motion was put and lost.

* The Hon. the PRESIDENT:—" The question is that Bill No. 15 of 936 be circulated for the purpose of eliciting opinion thereon."

The motion was put and lost.

* The Hon. the PRESIDENT:—" The question is that the Bill be aken into consideration at once."

The motion was put and carried.

Clauses 1, 2 *and* 3.

Clauses 1, 2 and 3 were put and carried.

Preamble.

The Preamble was put and carried.

* The Hon. the RAJA OF BOBBILI:—"Sir, I beg to move that the Bill be passed into law."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, having seen the fate of the many amendments moved, I do not want to take the time of the House with any more remarks. But I think it my duty to refer to one section in the Code of Civil Procedure. Order XXXIX, Rule 3 says:

'The court shall in all cases, except where it appears that the object of granting an injunction would be defeated by the delay, before granting an injunction direct notice of the application for the same to be given to the opposite party.'

-45 .m. "Therefore it is not correct to say, where courts will grant injunctions at the last moment. The granting of *interim* injunction is in so many words stated to be not permissible under Order XXXIX, Rule 3 of the Civil Procedure Code. Now to say that because some people have gone at the last moment to the court for getting injunction, you therefore want to introduce this Bill with a view to prevent such a step, amounts to this, viz., that the executive has no confidence in the judiciary. If still the House wants to vote for this legislation, I cannot stop it."

* The Hon. the PRESIDENT:—"The question is that Bill No. 15 of 1936 be passed into law."

The motion was put and carried and the Bill was passed into law.

V.—A BILL FURTHER TO AMEND THE MADRAS CHILDREN ACT, 1920, FOR CERTAIN PURPOSES (BILL No. 18 OF 1936).

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I beg to introduce the [a] Bill further to amend the Madras Children Act, 1920, for certain purposes (Bill No. 18 of 1936) and move that the Bill be referred to a Select Committee consisting of the following Members:—

(1) Rao Sahib V. Dharmalingam Pillai.
(2) Mr. I. C. Iswaran Pillai.
(3) Mrs. K. Alamelumangathayaramma.
(4) Mr. J. Kuppuswami Choudari.
(5) " W. P. A. Soundarapandyan.
(6) " M. B. Rangaswami Reddi.
(7) " J. M. Smith.
(8) " P. M. Thangal.

[a] Published in the *Fort St. George Gazette*, dated 18th August 1936.

3rd September 1936] [Mr. A. T. Pannirselvam]

(9) Mrs. A. Rukmani Lakshmipathi.

(10) Mr. A. B. Shetty.

(11) " B. Pocker Sahib.

(12) " T. S. Ramaswami Ayyar.

(13) " H. M. Hood.

(14) The Hon. the Law Member (Mover).

" Sir, the reasons for this amending Bill are set forth in full in the Statement of Objects and Reasons. One of them is to bring our Children Act into conformity with similar Acts obtaining in other Provinces and in England in respect of one or two specified provisions. One of the main objects according to the law as it stands, is that young or youthful offenders can be handed over for supervision and control only to close relations and friends. The idea is to empower the courts to entrust the custody and care of these young boys to any suitable gentleman who may be willing to undertake this responsibility, and a measure of this sort seems to me to be really good to these people, and also enable the guardian so appointed to bring the boy to the court, and ask the court to revise its order if the supervision exercised by the guardian is not found to be effective with any particular youth or boy. We take advantage of this occasion to introduce another amendment with regard to children who are subject to immoral influences, and whose future is likely to be thereby ruined. We have sought by this amendment to remove these people from places of immoral influence and place them in other places which might give them a chance for improvement in future life. The amendments proposed are likely to raise little controversy. To put them in proper form it might be advisable to consider them in detail in the Select Committee. That is why I make this motion that the Bill be referred to a Select Committee."

* Mr. A. B. Shetty:—" Mr. President, the Madras Children Aid Society, has, for a long time been pointing out certain defects in the Madras Children Act, and they have also suggested certain amendments which are necessary to make it more useful, and which will bring into the scope of the Act, young persons who require to be attended to. At the last annual General Meeting of this society, His Excellency the Governor sent a message promising to expedite the amendments suggested by this society. I am sorry that this Bill, though it does contain certain useful provisions found in the English Children Act, as well as the Bengal and Bombay Acts, does not contain some of the amendments suggested by the Madras Children Aid Society. One of the first amendments suggested by this society was to the effect that the age of those who came within any of the descriptions mentioned in sub-section (i) of section 29, particularly of those who come under immoral influences, should be raised from 14 to 16. I think it would be very advisable to make the whole Act

and Young Persons Act of 1933, they have raised the age of youthful offenders from 16 to 17. Formerly the dividing line between the adult and youthful offenders was drawn at 16. In the Act of 1933 the age of 17 has been substituted in respect of offences as well as for the purpose of care and protection. Two other amendments suggested by the Madras Children Aid Society are, one to prevent children being used for begging and another to save children from neglect and cruel treatment. It is said in the Statement of Objects and Reasons that the object of this Bill is to bring the existing Act into line with the English Children Act and the Bengal and the Bombay Acts. The English Children Act, as well as the Bombay and Bengal Acts do contain provisions intended to deal with juvenile begging, and to save children from habitual neglect and cruelty. The Regional Conference on Immoral Traffic in women and children, which met in November last in Madras, and which was opened by His Excellency the Governor, has approved the Children Aid Society's amendments in this respect. I hope that the Hon. Member will find it possible to introduce some of these useful amendments at the Select Committee stage and thus extend the scope of the Act, so as to give protection and help to the children who are in danger of drifting to a life of crime. The measure of success achieved in dealing with young children and budding criminals will, I have no doubt, have an immense influence on the criminal problem of the future."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I may say that the Government have scrutinized with care and attention all the recommendations of the Children Aid Society, and to the extent to which they can accept them straightway, they have incorporated them in the Act. I may state, however, that I shall also make available all the recommendations and other papers connected with that society, and to the extent to which the rules would permit, I am sure we will be able to bring in any additional provision that might be useful or practicable. I may state that we are not hidebound to do this or that only. Provided, according to rules, improvements can be made to the Bill in the Select Committee, it will be open to them to do it."

The motion was put and carried, and the Bill was referred to the Select Committee.

VI.—THE MADRAS FAMINE RELIEF FUND BILL (BILL No. 19 OF 1936).

* The Hon. Sir GEOFFREY BRACKEN:—" I beg to introduce the [a] Bill that stands in my name, viz., the Madras Famine Relief Fund Bill (Bill No. 19 of 1936) and move that the Bill be taken into consideration at once.

" Sir, the principle of this Bill was accepted unanimously by this House, and in accordance with the resolution passed by this House, the Secretary of State has been pleased to amend the Devolution Rules

[a] Published in the *Fort St. George Gazette*, dated 18th August 1936.

3rd September 1936] [Sir Geoffrey Bracken]

so as to permit the withdrawal of the Famine Relief Fund and its investments in Government of India Securities. The hon. Member from Cuddapah, at the time when the resolution was moved, proposed that the amount available above Rs. 40 lakhs, might be utilized for the construction of famine protective works. In accordance with that undertaking, provision to that effect has been made in clause 5 of the Bill. Famine protective work has already been approved by this House, and I understand that the hon. the Revenue Member is proposing another in the next session. This Bill is a simple measure to enable the fund to earn interest from 1st April, as the Government of India Act had made no provision for the continuance of that fund. I venture to think that in view of the interest that we are going to earn, there is no necessity to refer the matter to the Select Committee, more especially as delay will mean loss of interest. If the Government place the money at our disposal, say on 1st October, we stand to gain a sum of Rs. 20,000 in the current year. That is not a negligible sum. As for the purpose of the fund and the securities in which the money can be invested, we are still under the control of the Government of India and the Secretary of State. The new Government will have completely a free hand in this matter. Instead of tinkering with the wording of the Bill, I would suggest that we had better leave the matter of improvement to the new Government, who by a simple amendment can change the purpose for which the money can be spent, and also the classes of securities in which money can be invested. I think it is quite possible that the new Government may, for example, wish to invest part of the fund in their local loans. It seems to be quite legitimate to invest at any rate part of their money available in their loans. I, therefore, ask hon. Members not to press for a reference to the Select Committee, but to allow the Bill to be taken into consideration at once."

* MR. K. A. NACHIYAPPA GOUNDER:—" Mr. President, Sir, I beg to move— 1 p

'*that this Bill be referred to a Select Committee.*'

" I should like to explain the reasons for this motion. Sir, in answer to question No. 333, we have got the full history of the Famine Relief Fund, according to which, in 1928, the position was that the fund could be spent only on the relief of famine until a certain maximum is reached in the amount of the fund. We also find that during the past, the fund has been used for other purposes, also such as for giving loans to agriculturists and famine insurance. I think that under the Government of India Act, 1935, there is scope for the use of the fund for such purposes also. So, we should consider the question whether this Bill cannot be amended suitably to permit such expenditure. Sir, hon. Members, especially those coming from the Ceded districts, have given notice of a number of amendments. All of them have to be considered on their merits. There is ample time for us before 1st April 1937. We can have the Bill passed in the December session. The Hon. the Finance Member, said that if we did not pass the Bill now, we would be losing interest. I think we can constitute the new fund

on the 1st of December or the 1st of January, and till that time, keep the amount with the Government of India. It will be earning interest there. In order to make the Act complete, it is necessary to refer the Bill to a Select Committee. I feel, Sir, that we should bestow special attention on the provision enabling the grant of loans to ryots. We have recently brought the Agriculturists' Loans Amendment Act into operation, and the demand for loans is very great, and we are not able to provide sufficient funds for it. We find, from the report of Mr. Sathianathan, that the indebtedness of the ryot is over 200 crores. I think, Sir, that the Famine Relief Fund can be utilized for the grant of loans to ryots if need be and if there is facility for it. In order to take into consideration and incorporate these provisions in the Bill, I move that the Bill be referred to a Select Committee. Nothing will be lost by such a reference."

* Mr. G. RAMESWARA RAO:—" Sir, I want to tell the Hon. the Mover that certain matters of principle are involved in the Bill now before the House. For the last three or four days a number of questions on famine relief have been answered. The history of the fund has been given to us by the Hon. the Finance Member. Although the Hon. Sir Charles Souter said that he was not antiquarian enough to be able to tell us the history of the fund, the Hon. the Finance Member has given us a brief and succinct account of the history of the fund and passed for a good historian unlike Sir Charles Souter. He has traced the various changes that have been introduced in the policy of famine relief. In the beginning the Government felt that protection against famine must be one of the policies of the Government and that it should be completely the concern of the Government of India. In the second stage the cost was shared half and half by the Government of India and the Provincial Governments. In the third stage the Government of India shared three-fourths of the cost and the provincial Governments one-fourth. Lastly the protection fund completely dropped out with the result that people could look for protection only at the hands of God. The Government have been letting us down stage by stage. I want the Hon. the Finance Member to look into the matter, read the answers given to my question and reintroduce the original policy. There must be a protection and insurance fund; otherwise we cannot cope with famine. We cannot cope with the situation arising out of famine or flood from the general revenues. There will be ever so many demands made on the general revenues collected from year to year and it will be impossible to satisfy the demands that will be made from all parts of the Presidency. However pious the intentions of the future Finance Minister may be, we cannot be certain that he will rise to the occasion and be able to find funds from the general revenues for the relief of famine; he might have to resort to loans. It is just to avoid that contingency that I suggest that this fund is necessary. Sir, we are in the habit of calling our forefathers fools. The Hon. Sir Geoffrey Bracken may consider the Governments of olden days to have been fools; but before he does that let him consider the policy followed by them. In one instance when

the Government of those days departed from the policy laid down by Lord Lytton, the Secretary of State gave that Government a mild rebuke and told them not to depart from the old policy. Therefore, Sir, I urge there should be a protection fund, for you should not be handicapped for want of funds at a time when you feel sympathy for the suffering people. It is always better to keep something in store. Very pious intentions to help the suffering people might not be fulfilled if you had to rely on the general revenues alone. For, the amount will have to be included in the annual budget estimates; it may or may not be included for we do not know how many other demands there will be at the moment for the funds available. Then the amount will have to be sanctioned by the Finance Committee and then to come before the House. These are the various obstacles and especially when there will be a responsible Cabinet Minister after the 1st of April he cannot resist the demands of the people. I therefore appeal to the Hon. the Finance Member to incorporate this principle of forming a permanent fund for protective purposes quite apart from the fund for relief purposes. Let him draw from one portion of the fund for relief purposes and from the other portion of the fund for protective works. For the last five years or so the Government have not added anything to the Famine Relief Fund. Of course the Devolution Rules say that when the amount has reached Rs. 40 lakhs the Government may or may not add to it. According to that the Government are perfectly right, technically and legally. But it is rather unfortunate that the Government have taken advantage of the ' may not ' in the rule. So, Sir, this is a very important matter and I want to make some endeavour to get these principles incorporated in the Bill in some form or other. It is with that hope that I second the motion that the Bill be referred to a Select Committee."

Mr. T. S. Ramaswami Ayyar :—" Sir, in order to obviate difficulties and to have the Bill passed at once without referring it to a Select Committee, may I ask the Hon. the Finance Member whether he would be pleased to incorporate rule 8 of Schedule IV of the Devolution Rules, entirely in clause 5? Clause 5 says—

' The fund shall not be expended except upon—

(i) the relief of serious famine in the Presidency of Madras; and

(ii) the relief of distress caused by serious drought, flood or other natural calamities in the said Presidency :

Provided that when the fund exceeds forty lakhs of rupees, the Local Government may utilize the excess to meet expenditure on protective irrigation works and other works for the prevention of famine in the said Presidency.'

Rule 8 of the Devolution Rules runs as follows :—

' When the balance in the famine relief fund exceeds the amount specified in paragraph 5, the Local Government may utilize the excess to meet expenditure on protective irrigation works and other works for the prevention of famine; in the grant of loans to cultivators, either under the Land Improvement Loans Act, 1883, or under the Agriculturists' Loans Act, 1884, or for relief purposes; or in the repayment of advances from the Provincial Loans Fund, or to meet irrecoverable balances of loans under the said Acts or for relief purposes when such loans have been made from the Provincial Loan Account . . .'

At present so long as the fund does not exceed Rs. 40 lakhs it can be utilized for the prevention of famine. That principle has been incorporated in the Bill. When the fund exceeds Rs. 40 lakhs the excess can be utilized by the Government for certain other items like the prevention of famine and the grant of loans to agriculturists. Now the provision for the grant of loans to agriculturists is left out of the Bill. If that is also included in clause 5 the difficulty pointed out by hon. Members will be obviated. The Hon. the Finance Member said that if we delayed the passing of the Bill we would be losing interest. I certainly am one with him in thinking that we should not lose any interest due to us especially where the Government of India is concerned because they have not been over-kind to us in the payment of our loan and interest charges. (The Hon. Sir Geoffrey Bracken: 'Hear, hear.') Therefore I think there is force in the argument of the Hon. the Finance Member that the House should pass this Bill at once without referring it to a select committee. At the same time we feel that there is need for a fund which can be spent on purposes other than the mere relief of famine. After all we know that prevention of famine is more important than relief of famine and it is the duty of Government to prevent the occurrence of famine. Therefore the Government should be able to execute what may be called protective works as opposed to productive works. For these reasons I appeal to the Hon. the Finance Member to incorporate Devolution Rule 8 in clause 5 of the Bill and allow the Bill to go through at once. If this is done, I do not think hon. Members can have any complaint."

-15 p.m. * Mr. K. Koti Reddi:—" Sir, I personally feel that there is no necessity to refer the Bill to the Select Committee. No doubt the hon. Member representing the University is anxious to help the famine-stricken people—as he always is—by the extension of the reliefs that can be made out of the Famine Relief Fund. The point is whether the districts that are affected by famine will be helped. It seems to me that it is more a disadvantage than an advantage to us. We feel that more money ought to be given to us. That is really the crux of the problem. If the Government can reserve for this special purpose of preventing famine, more than Rs. 40 lakhs, it would be an advantage to us; some of us have given notice to that effect. On the other hand if the scope of the Finance Relief Fund is extended as mentioned in the Devolution Rules, I personally feel that it is not so much of advantage to us. When our fund is limited, when the money that can be spent for prevention of famine is limited, if the scope of this fund is extended what is probably going to happen is this; most of the expenditure that is now being met from the general revenues, such as, for writing off the takavi loans and for giving loans, will be met from this fund instead of from the general revenues as is done now. If the Famine Relief Fund and not the general revenue is going to be used for all these purposes, how is it advantageous to us? Instead of this fund being utilized for famine relief and for famine protective works for which we want any amount of money, if we are going to indent on it for writing off the takavi

loans, etc., it would be disadvantageous to us. If the Government are going to increase the fund to 1 crore as some hon. Members suggested or at least to Rs. 75 lakhs as I have suggested, it would certainly be advantageous. The aspect of the question which has been put forward by Mr. Rameswara Rao really deserves consideration by the House. If we have got more than Rs. 40 lakhs, then we are at liberty to spend it on protective irrigation works. There is ample need for taking urgent measures for preventing famine instead of relieving it after it actually occurs. I put a supplementary question whether the Government will give relief to the people in view of the impending famine in some of our districts as rains have already failed. Undoubtedly the Hon. the Revenue Member was surprised at my question, Government will take some time to get information from the revenue authorities. I can tell them that the situation is already bad enough; monsoon has failed in a major portion of the Ceded districts; there should have been rains early in July or so for sowing; there has been no sowing in a large portion of the Ceded districts; even if the rain falls now, we cannot sow groundnuts, etc.; if we have rains in four or five days, there is a chance of sowing cholam, etc. Lands with groundnuts and cereals have already dried up . . ."

* The Hon. the PRESIDENT:—" I am afraid that the hon. Member's remarks are not relevant to the issue before the House."

* Mr. K. KOTI REDDI:—" I wanted to bring to the attention of the Hon. the Revenue Member that there is need not only for relieving famine when it actually occurs but also for devising certain measures for preventing famine. I want to point out that a large amount of the fund beyond Rs. 40 lakhs should be set apart so that the balance may be spent on protective works. That is the only way, that is the main way by which famine to a great extent can be prevented. It is for that purpose that I say that a separate fund should be set apart. I do not think that it will be necessary to refer the Bill to the Select Committee. I do not think we can afford to lose interest to the extent of Rs. 40,000. As the Hon. the Finance Member has put it, it is for the future Government to decide how this fund should be utilized. I only request the Hon. the Finance Member to accept some of the amendments that we have given notice of so that more money will be available for famine relief and for works to prevent famine."

* The Hon. Sir GEOFFREY BRACKEN:—" Mr. President, Sir, I must first of all say that I am surprised at the attitude of the hon. Member from Salem and the hon. Member who represents the University. We have heard from them very constantly that this House is worn out and has out-lived its term, and when I have expressed my view that it is essentially a matter for the new Government to determine the purpose for which this fund should be spent and the manner in which it should be invested, hon. Members will have none of it; they want, what they describe as this worn-out House, which has out-lived its period, to determine the matter of policy which is essentially for the new Government.

"As regards the various suggestions, I would put it to the Hou that the proper time to make these suggestions was when the resolutic was moved in the House in the previous session. A particular resolu tion was moved and with reference to that resolution the Secretary c State has altered the Devolution Rules. It will not look very well t go to the Secretary of State again and say, oh! the previous resolutio meant nothing, we want something quite different. If that is to b referred to the Secretary of State again, it means delay and it mear loss of interest. I have already explained that, if we can get th money from the Government of India by, say, 1st October we stand t gain a sum of Rs. 20,000 by better investing our funds. I would there fore suggest it is better to pass the Bill in this simple form in whic it stands which commits the new Government to nothing new rathe than, as I have already stated, tinkering with various proposals. A to the idea of a fund for protective works, I have good deal of sympath with that idea, and I rather hope that the new Government might se apart a sum every year for protective works. We are still under th control of the Secretary of State and Devolution Rules and we can onl spend the interest that has accrued on the capital sum. A supple mentary grant has already been moved for one protective work and th Hon. the Revenue Member will, I understand, move a supplementar grant for another protective work in December; with that we practicall use up all the money available. In view of this explanation, I hop the hon. Members will not press the motion."

* Mr. K. A. NACHIYAPPA GOUNDER :—"Mr. President, Sir, it is n exaggeration or incorrectness to say that this is a worn-out Council I still maintain and repeat that this is a worn-out Council. Whateve may be the case when the Government bring forward a measure an want to get it through, it is the duty of the Opposition to see what bes can be done. With that idea in mind, I was tempted to move thi amendment and the Hon. the Finance Member need not be surprise at the attitude which I have taken."

* The Hon. the PRESIDENT :—"He will be glad if the hon. Membe changes his attitude now."

* Mr. K. A. NACHIYAPPA GOUNDER :—"But, any way, Sir, takin into consideration the statement of the Hon. the Finance Membe that we would be losing interest charges, I do not propose to press thi motion."

The motion was by leave withdrawn.

* The Hon. the PRESIDENT :—"The question is that Bill No. 19 o 1936 be taken into consideration."

The motion was put and carried.

(After Lunch—2-30 p.m.)

* The Hon. the PRESIDENT :—"We shall now continue the con sideration of the Madras Famine Relief Fund Bill."

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Clause 1.

* Mr. G. RAMESWARA RAO:—" Mr. President, Sir, when I seconded the motion for referring the Bill to a Select Committee, I stated my views in general, and it is on the lines of the views I expressed then that I have given notice of the amendments which I propose to move one after another. The principle having been clearly stated and also followed by the hon. the Mover, I do not propose to take much of the time of the House by repeating what I then stated. Therefore, Sir, I move the first amendment standing in my name, viz., that—

'*In the first paragraph of the preamble, after the* . . .' "

* The Hon. the PRESIDENT:—" The preamble will be taken up later on."

* Mr. G. RAMESWARA RAO:—" Then I move the amendment regarding the first clause, that is—

'*In sub-clause* (1), *after the words* " *Famine Relief* " insert *the words* " *and Famine Insurance* ".'

This gives effect to the fundamental idea that I gave out that a fund must be founded for preventive works also, as opposed to mere relief work as and when famines occur. It is with that idea that I am moving this amendment."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" I second it."

* The Hon. Sir GEOFFREY BRACKEN:—" Mr. President, Sir, I am afraid I cannot accept this motion as it affects the whole principle of the Bill. As I have already said, it will be very much better for the new Government, when they come into office, to settle what should be the uses of the fund. I have some sympathy with the proposal of the hon. Members who moved and seconded this amendment, that a separate protective fund should be created in addition to the relief fund; and I am prepared to give an undertaking to the hon. Members that the Finance Department at the time of the preparation of the budget will put the suggestion before the new Ministers, so that they can, if they think fit, include some provision either that there should be so much money spent on famine protective works every year or, if it is not possible to spend, say, Rs. 3 lakhs a year, that so much should be added to the fund."

* Mr. G. RAMESWARA RAO:—" Then, Mr. President, may I take it that there would not be any technical difficulty when the budget comes to be prepared for the next year, inasmuch as the Act provides only for famine relief and there is no statutory provision for a Famine Protection Fund? If the Government think that there would not be any such technical difficulty, that in spite of the Act they could provide for a protective fund also, I do not press my motion."

* The Hon. Sir GEOFFREY BRACKEN:—" In regard to that point, Sir, for the next year's budget, I may say that there are already two famine protective works which will, I take it, require some Rs. 3 lakhs,

So, this is not very urgent for the next year; I think for the followin year, it will be a much more live issue."

The amendment was by leave withdrawn.

Clause 1 was put and carried.

Clause 2.

* The Hon. the PRESIDENT :—" The hon. Member's amendme under this clause is on the same principle as the previous one."

* Mr. G. RAMESWARA RAO :—" I shall make a statement abo that. Amendments Nos. 2, 3 and 4 which have been given notice by me refer to the same subject, in that wherever the words 'Fami Relief' occur, I want to add the words 'Famine Insurance' als They cover the ground covered already; and in view of the assuran given by the Hon. the Finance Member, I do not think it is necessa for me to move these amendments."

Clause 2 was put and carried.

Clause 3.

Mr. G. RAMESWARA RAO :—" In clause 3, the items of which t Famine Relief Fund may consist have been enumerated. I propose add a new sub-clause (iii) after sub-clause (ii)—

'(iii) *an annual contribution of two lakhs for famine relief a an annual contribution of three lakhs for famine insurance, be made from the general revenues.*'

As it is, the rules provide for the provision of one lakh every year, course the discretion being vested in the Government to suspend su contribution if they think fit to do so. There is no provision in t Bill for such a contribution, either discretionary or obligatory. view of that fact, I suggest that a statutory obligation be imposed the Government to annually set apart something for this fund, so th the fund may be added to for purposes of utilization when an occasi arises. Therefore, Sir, I want to add this new sub-clause (iii) and renumber the succeeding sub-clauses as (iv) and (v)."

* The Hon. the PRESIDENT :—" The second portion of this amen ment, that 'an annual contribution of three lakhs for famine ins rance' be made does not seem to come in. Does the hon. Memb propose to press it even after the assurance given by the Hon. t Finance Member? "

* Mr. G. RAMESWARA RAO :—" In view of the opinion expressed the Government, I would rather have Rs. 5 lakhs for the fund. Th suggestion I would make under the circumstances—for famine reli alone. That will serve the purpose, I think."

The Hon. Sir GEOFFREY BRACKEN :—" That will have to come und clause 7, I think."

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* The Hon. Sir CHARLES SOUTER :—" Naturally, it will come under ause 7, Sir. Clause 7 runs thus:

' If the accounts so made up show that the balance in the fund at the end each year falls short of forty lakhs of rupees, the deficiency shall be made up om the revenues of the province:

' Provided that if the deficiency exceeds three lakhs of rupees, it may be ade up in annual instalments, the amount of each instalment except the last ing not less than three lakhs of rupees.'

presume the hon. Member wishes to alter ' three ' into ' five ' there. that the effect of his proposal? "

* Mr. G. RAMESWARA RAO :—" I will explain. Clause 3 provides r the items of which the Famine Relief Fund shall consist. Firstly, e *securities of the Government of India*, secondly the interest which ay from time to time accrue, thirdly, such other sums as the Local overnment may from time to time contribute to the fund under subction (2) of section 7 or otherwise, and fourthly, etc. This item (iii) very vague; I am therefore suggesting that the famine fund shall onsist of so many things, practically leaving the generality of clause 3 naffected. I only suggest that a new sub-clause (iii) be added to the ffect that an annual contribution of Rs. 5 lakhs should be made as art of the fund.

" I am of course quite aware that clause 7 provides for the amount f relief to be given and I have also given notice of an amendment to hat clause. My only object is that it should be made clear that the nnual contribution should be a statutory obligation on the Governent."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—" Sir, I beg to econd the motion. In doing so, I would also like to suggest that hether there is deficiency or no deficiency, it should be the duty of the overnment to contribute every year five lakhs of rupees to this famine und so that it may be utilized for the purpose of giving relief or for ther measures which are contemplated in connexion with the famine und."

* The Hon. Sir GEOFFREY BRACKEN :—" Mr. President, I may say, ersonally I consider there is a good deal in the suggestion made by he two hon. Members, but think this is a matter that ought to be left o the new Government and that idea will evidently be put before the Ministers by the Finance Department at the time of the preparation f the budget."

* Mr. G. RAMESWARA RAO :—" Mr. President, Sir, I am quite able o appreciate the idea of the Hon. Member, but I did not understand what he means by saying that the idea will be put to the new Ministers. As it is, we will be left entirely at the mercy of the Ministry. What I want is, there must be some sort of definite assurance by way of statutory obligation inasmuch as we are now enacting an enactment for the purpose of giving relief for which there has been no enactment so far. As such, I think in a measure like this, there should be some sort of give and take and we should not be left to the mercy of Ministers. As it is, we have had experience of such things, and as the Hon.

Member himself has stated, for the last five years we have had no add tions to the fund and we do not want that it should be perpetrated fro day to day and be left to the mercy of Ministers who will ignore th famine districts which have neither money nor voice to represent ou grievances."

* The Hon. Sir GEOFFREY BRACKEN:—" I am afraid, Sir, th suggestion would require the previous sanction of the Governor-Gener and it is not within the powers of this Government to do it straigh away. All I can undertake is to see that the matter is brought ver definitely to the notice of the new Ministers who can then lay dow a policy in regard to the matter."

Mr. G. RAMESWARA RAO:—" If the Hon. Member would mak a sort of convention that something must be set apart every year fo the purpose, I will be quite content. I, therefore, beg to withdra the amendment, Sir."

The amendment was by leave withdrawn.

Clause 3 was then put and carried.

Clause 4.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" Mr. Presiden I beg to move—

> '*In clause* 4, *after the words,* " *the expenditure on the relief o famine* " *in line* 10, insert *the words* " *and expenditur incurred in the previous famine years given in the form o loans* ".'

" Sir, I am suggesting this amendment for this reason. I hav repeatedly brought to the notice of hon. Members of this House that s far as my district of Bellary is concerned, and I believe it is the sam in some of the sister districts also as they are in the same position— loans have been granted at a time of acute distress, that is, actuall when famine was prevailing. As a matter of fact, I have drawn th attention of hon. Members to the fact that the loans which were grante have not been utilized for the purposes for which they were granted They were supposed to have been granted for the improvement of land but as a matter of fact, they were never used for the improvement o land. Not only that, as I have stated already on the floor of thi Council, if a person got, say Rs. 100, I think about 25 per cent of i was utilized in paying the middleman; 25 per cent in paying th lawyers, 35 per cent in paying the sowcar or the money-lender and th other 15 per cent was utilized in ceremonials, in his house or for simila purposes, so that not one single pie was utilized for the purpose fo which it was granted; and that is the case so far as my district o Bellary is concerned at any rate. I think I may appeal to the Hon the Revenue Member who has administered this district to vouch fo the accuracy of my statement. This state of things has been going o for nearly 15 years and the ryots have to pay about 15 lakhs. I am glad that the Government have been so far generous to write off th interest. Now they are not claiming interest at all, but they are asking

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r the repayment of the loans in instalments. And, every time this payment of instalments is asked, we come to Government, we clamour ıd we almost prostrate at the feet of the authorities and ask them to ıstpone it and they have been generous enough to postpone it. So far ıt one instalment has been paid and it is hanging as the word of ımocles on the heads of these agriculturists. The reason why I am oving this amendment is, I think these loans must be wiped off and my amendment is accepted, it may have that effect. At present this mine fund is spent not from the general revenues but from out of the mine fund. There is of course a good deal of force in what my hon. riend from Cuddapah, Mr. Koti Reddi, has stated. My suggestion erefore is, that instead of the relief being given out of the famine nd, if it is given from out of the general revenues, certainly it would a more welcome measure. But I do not know whether it is possible do so or not. If it is not possible to do that, it does not matter; but it is possible to give it out of the general revenues, well and good. owever, that is a thing that is very urgently needed not only in my strict but also in the neighbouring districts."

* The Hon. the PRESIDENT:—"The amendment falls through for ınt of a seconder."

Clause 4 was then put and carried.

Clause 5.

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I move that the word *erious*' in sub-clause (1) be omitted.

"My reason for the amendment is this. I do not know why the ord 'serious' should be introduced here. I suppose when there is mine, it is serious enough and the word 'famine' connotes that the ndition of distress in a particular area is such that it requires relief om Government or other agencies and, as such, I consider it is not cessary to have the word 'serious' there at all. If, on the other ınd, you introduce that word, it is just possible that the administrave authorities of the area, for instance, the Collector or other officers, ay feel that the situation should be very bad to call for any relief.), I believe the word 'serious' should be omitted from this clause."

Mr. A. M. AHMED MEERAN:—"I second it, Sir."

* The Hon. Sir GEOFFREY BRACKEN:—"Mr. President, Sir, I am raid I cannot accept the amendment for this reason. In the original solution which was accepted by this House, the word 'serious' appears ıd following that, the Secretary of State in making the new Devoluɔn Rule 6-A, simply repeated the words of our resolution. If any ıange is now to be made, it will have again to be referred to the cretary of State and that means delay and again loss of interest. As matter of fact, it is rather a matter of academic interest at present, cause I trust there will be no serious famine this year and I do not ink this word 'serious' will really affect the situation."

Mr. K. KOTI REDDI:—" Sir, in view of the explanation given b the Hon. tbe Finance Member—though I do not hope for a famine conditions are bad already—I withdraw my amendment, Sir."

The amendment was by leave withdrawn.

Mr. G. RAMESWARA RAO:—" Mr. President, Sir, in view of th general statement made already by the Government, I think no usefu purpose will be served if I move any of my amendments except th amendment given notice of by me under clause 7."

Clauses 5 and 6 were put and carried.

Clause 7.

* Mr. K. KOTI REDDI:—" I move, Sir—

> '*That for the word " financial," the word " calendar " be sub*stituted.'

" I think, Sir, this amendment is necessary in view of the fact tha if the accounts are to be made up at the end of each financial year, ther may not be any chance for making provision in the Budget, for th annual budget is prepared much earlier than the end of the financia year. The budget is voted upon some time in February or early i March every year and unless you bring forward a supplementary deman at the end of the year, you cannot possibly provide for it. If, on th other hand, the accounts are made up at the end of the calendar yea and if it is found that there is any deficiency, provision may be mad in the budget for the purpose. So, I do not think there will be an objection to accept this amendment. If the Hon. the Finance Membe thinks there is no difficulty in making proper provision even if th accounts are made up at the end of the calendar year, it is alright otherwise I hope he will accept the amendment, unless there is an technical difficulty in regard to the matter, viz., sanction by the Secre tary of State."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" I second it, Sir.'

* The Hon. Sir GEOFFREY BRACKEN:—" Mr. President, Sir, I ar afraid there is a technical difficulty. When all other accounts are mad up at the end of the financial year, the Auditor-General would strongl object to the accounts being made up at the end of the calendar yea in regard to this matter. Otherwise, I do not think there is any rea difficulty, because supplementary demands may be moved at any tim of the year either in December or in March just to suit convenience. would therefore ask my hon. Friend from Cuddapah not to press th matter in view of the technical difficulty."

The amendment was, by leave, withdrawn.

* Mr. G. RAMESWARA RAO:—" Sir, I beg to move—

> '*In sub-clause* (2) for " *forty lakhs,*" substitute " *a hundr lakhs.*" '

·d September 1936] [Mr. G. Rameswara Rao]

" Sir, it is just to draw the attention of the Government to the fact ıat forty lakhs which has been provided for is certainly very little ·hen compared with the vast needs of the famine tracts, that I am ıoving this motion. Yesterday, I was telling the Hon. the Revenue [ember that famine has been a standing characteristic of India as a ·hole and part of this Presidency in general and I also told him that ıe idea of providing for famine protection is as old as the advent of the ›ritish Government and that for over a century the Government have ot been able to grapple with the situation effectively because they ɔuld not find sufficient funds for the purpose. Now, Sir, when we are ɑced with a situation and we find ourselves wanting to meet the situa- 'on, it is but right and wise that some steps should be devised for oping with the situation. It is with that idea, Sir, I said that the nnual contribution must be made a sort of conventional or statutory bligation on the Government. Secondly, Sir, the annual contribu- ion ought not to be deferred at the very early stage of arriving at the ıaximum. I further stated that the maximum should not be forty ıkhs but hundred lakhs so that there may be ample funds at our dis- osal for protective works as and when the necessity for such relief works hould arise.

" It is just with that idea of raising the figure higher, that I insist pon this amendment. I am sure that the Hon. the Mover will tell us hat the Secretary of State was not given a draft of the Bill nor was he ıade to believe that this 40 lakhs is to be the maximum. I do not see ny foundation for such an inference from what has been stated in the ·tatement of Objects and Reasons or on the floor of the House. I do ot think that the Secretary of State would stand in our way if we, ke prudent children, want to provide for a rainy day. Nor do I think hat the sanction of the Secretary would be necessary for such a prudent tep. Therefore, I appeal to him to accept the amendment without iving us the very usual excuses that he is not willing to burden the oming Government and that therefore he wants to leave that to them. 'hat is one way of shelving responsibility; but I believe that the Hon. he Finance Member is capable of shouldering responsibility. He has ·ot strong shoulders and a stronger heart and I therefore feel that he ʼill not shove it on like that to the coming Government on the usual ·retext. In fulfilment of the very kind sympathies that he has expressed n favour of the famine relief idea and for the famine insurance idea, hope he would give us an encouragement and proof of his sympathy y accepting the figure I have suggested, namely, one hundred lakhs."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—" Mr. President, ir, I second this motion. We know that the Government have been pending enormous sums of money from 1876 onwards towards famine. f the figures were to be taken, I think it would run up to crores. 'amine has been a recurring feature of the Ceded districts. It occurs very three years. That being so, if only we had concentrated our ttention on the Tungabhadra Project, I do not think there would be ny need for the famine fund at all. As you know, Sir, all these

amounts have not been spent on protective works. But if they we spent on some such project, the situation would be different. No that the project is being mooted—I saw in the papers that the is going to be a conference very shortly to be presided over by S Frank Noyce in connexion with the settlement of the dispute—I thin it would materialize. If it comes about, it will be very easy later o for the Ministry to come to the House and ask for the revision of tl amount in the changed circumstances, say, to 10 lakhs at the most."

The Hon. Sir GEOFFREY BRACKEN:—" Is the hon. Member speakin in support of the figure being fixed at 50 lakhs."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" I am for th amount being fixed at a hundred lakhs and it is in consideration this fact, namely, that though it may not be possible for the preser Government to accept it, they may at least bind the future Govern ment to that course, so that they can utilize amounts available out that fund towards the Tungabhadra Project. We want that to be th maximum to be put in reserve so that it may be utilized later on i connexion with such protective project as the Tungabhadra Projec which would give the needed relief to the famine areas once and fo all and would bring those zones on a level with the deltaic area of Cauvery, Godavari or Kistna."

* Mr. K. KOTI REDDI:—" Mr. President, Sir, I move—

' That in sub-clause (2) for the word " forty " the word " sevent five " be substituted.'

" My amendment is very moderate compared with the amendmen of my hon. Friends from Anantapur. Not that I am less ambitiou I would like to have it at a crore or more if it is possible and if th Government are prepared to accept that amount. Lest the Govern ment may not be prepared to accept that sum, I have given notic of an amendment for a sum of Rs. 75 lakhs which I believe is ver moderate. I do not think that the Government need be terrified at th figure. We do not want the whole amount to be set apart all at onc as is clear from my next amendment which asks for only annual con tributions so that the 75 lakhs may be built up for a contingency. W are not asking for a lump sum provision. Considering what the Govern ment have been spending in this direction, I think such an amour is absolutely necessary. My hon. Friend referred to the Tungabhadı Project. I wish it comes to fruition early; but I do not know whe it will be completed. It has been hanging fire for the last 35 year Even if that is possible at present there would be ample room for takin up small irrigation projects. I say even if the Tungabhadra Projec or the Sangameswaram Project which is intended to serve three c four more districts, is taken up, yet there is ample room in the Cede districts for a number of minor irrigation schemes to be taken up imme diately. All this will go some way in relieving famine in the Cede districts. Unless a separate fund is available, there is always a tempta tion on the part of the Government to spend as little as possible for pro tective works. As far as my experience in this Council goes—I hav

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›n here for the last 12 or 13 years—only very small, practically no ount is allotted for constructing new minor irrigation works. ey spend some amount for repairs; but no new scheme of minor igation has been taken up for the last so many years. Unless that done, I fear it is not possible to prevent famine in the Ceded discts even to the slightest extent. It is for that purpose, Sir, I ask · this modest amount so that in the event of the amount in the fund ceeding 40 lakhs, it may be utilized for constructing new minor ·igation works. As for the present, we know that the fund has ıched the ·40 lakhs level and the Government may not make annual ıtribution. It is not obligatory on them to do so. But if we fix it a higher level, it shall have to contribute to it. I hope that the cretary of State will not object to the modest amendment. If the ture Ministers feel any difficulty in the matter, they will certainly me up to this House for altering the amount to something lower. hope that this Council with its experience of famine conditions and e Hon. the Finance Member with his broad heart will see his way accept the amendment."

Rai Sahib C. Kolanda Reddi seconded the motion.

* The Hon. Sir GEOFFREY BRACKEN:—" Mr. President, I may say once that I am in sympathy with this prudent financial provision hich the hon. Members have suggested. The figure originally stood t 50, then it rose to hundred and then dropped to 75. This is a matter ı which there is no necessity to get the sanction of the Secretary of tate. It is quite open to this House to fix the figure of forty lakhs. ›ut I think that it would rather inconvenient to commit the new overnment to something in the nature of a new policy and I would uggest that if you fix the figure at a hundred lakhs, it would go far eyond the requirements of the situation. In recent years, the amounts equired for famine relief has never in one year exceeded 39 lakhs which ras the figure spent in the Ganjam famine in 1920–21. Last year's amine cost us 17 lakhs. But in this matter, I am prepared to be ·uided by the sense of the House. I would however suggest 100 lakhs s going rather too far and I would like the figure to be put at 50 lakhs or the present. If the new Government so desire, they may raise it."

* Mr. G. RAMESWARA RAO:—" The Hon. Member will excuse me f I am bargaining for the amount of 100 lakhs. Unless we bargain n conferences for conciliation and compromise, there is no chance ›f the League of Nations continuing to exist. In that spirit, I would ıppeal to the Hon. the Finance Member to just consider the matter from the aspect which I stated. He tells us that the Ganjam famine cost us 39 lakhs in a year. If that is correct, and I say he cannot be incorrect, this promised fifty lakhs would not be sufficient if the unfortunate contingency recurs. The major portion of the fund will have been spent leaving us only a small balance. If he knows that 39 lakhs have been wiped out in one year, he will see the necessity for having something by way of working capital at least for a next bad

year. We shall have nothing to spend if one such year follows close upon the other. The figure I want may be sufficient for a period of 2½ years even supposing you have a condition of famine like the Ganjam famine for such period. I think I am not at all extravagant in asking for that sum. I do not want that it should be made good all at once. I do not want it to be shelled out to us in one lump sum. We want it to be made up by annual contributions. Only there should be no discretion to defer that contribution. If better prudence prevails, we may increase the grant from year to year so that the hundred lakhs may be the ideal. I thank the Hon. Gentlemen for having given me 10 lakhs more, but would ask for 100 lakhs. According to his own estimate of things, the amount that he agreed to set apart may not be sufficient for two years if we were to have two bad years as it happened in the case of the Ganjam famine. That would leave us nothing by way of capital and nothing to invest in Government securities. In consideration of this, I appeal to the Hon. Finance Member to take a sympathetic view and fix it at a hundred lakhs."

The Hon. Sir GEOFFREY BRACKEN :—" I really think that the hundred lakhs is beyond the requirement of the situation. The limit of 40 lakhs has been found quite sufficient. However, since hon. Members are so keen on a prudent financial reserve, I am prepared to accept the figure of 60 lakhs."

The amendments were, by leave, withdrawn.

Mr. G. RAMESWARA RAO :—" Sir, I beg to move—

> ' *In sub-clause* (2), for *the word* " *forty*," substitute *the word* " *sixty*." ' "

The motion was duly seconded.

The Hon. the PRESIDENT :—" The question is—

> ' For *the word* " *forty* " *in sub-clause* (2) substitute *the word* " *sixty*." ' "

The amendment was put and carried.

Mr. G. RAMESWARA RAO :—" I do not think, Sir, that any purpose will be served by my moving the other amendments I have given notice of, because they involve a question of principle to which reference has already been made."

* Mr. K. KOTI REDDI :—" Mr. President, for my part, I think it is necessary to move the amendment standing in my name, i.e.—

> ' For *the word* " *three* " *in the proviso to sub-clause* (2) substitute *the word* " *five* " *wherever it occurs.*' "

" In view of the fact that the fund has been raised to sixty lakhs, I think there is no point in not raising the annual contributions. Is it not reasonable that the annual contribution should be a little more than three? Unless the annual contribution is increased, it will not be possible to make up the amount early. So I move for the annual contributions being made at the rate of 5 lakhs."

Mr. G. Rameswara Rao seconded the motion.

The Hon. Sir GEOFFREY BRACKEN :—" I accept the amendment. The amendment was put and carried.

Clause 7 as amended was put and carried. 3·

Preamble.

The preamble was put and carried.

The Hon. Sir GEOFFREY BRACKEN :—" Mr. President, I beg to move—

'*That the Bill be passed into law.*' "

The motion was put and carried and the Bill was passed into law.

II.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, AND TO AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934, FOR CERTAIN PURPOSES (BILL No. 11 OF 1936)—*cont.*

Clause 9-*A*.

New section 185-B.

* The Hon. Sir CHARLES SOUTER :—" Before we go on to the motion which I moved yesterday to pass into law what I might call the Estates Land Act (Third Amendment) Bill, I want to say this. I proposed the following amendment for sub-clause (2) of clause 9—New *section 185* :—

' (1) For *clause* (2), substitute *the following* :—

" (2) *in the case of an estate within the meaning of sub-clauses* (*a*), (*b*), (*c*) *or* (*e*) *of clause* (2) *of section* 3 *or in the case of an inam village which was an estate before the commencement of the Madras Estates Land* (*Third Amendment*) *Act*, 1936, *to the question whether the land was before the* 1*st day of July* 1898, *specifically let as private land, and.*"

' (2) For *the opening paragraph of the second proviso*, substitute *the following* :—

" *Provided further that in the case of an inam village which was not an estate before the commencement of the Madras Estates Land* (*Third Amendment*) *Act*, 1936 . . ." ' "

" I proposed, Sir, first to ask the permission of this House with your approval if I could move this amendment. I understand, however, that this amendment for some reason or other is not acceptable to those or the majority of those who have argued the case for the inamdars in this House. I do not propose to move it."

* Mr. T. S. RAMASWAMI AYYAR :—" In view of the statement of the Hon. Mover of this Bill I should like to say a few words as a member of the United Nationalist Party that interested itself in this Bill. A statement has been made by the Hon. the Revenue Member why he did not

move a certain amendment. He said that it was not acceptable to the opposition. I think, Sir, it is but right that a statement explaining the circumstances under which it was not accepted should also be made available to the House. One of the many amendments which were discussed yesterday having been moved by my hon. Friend from Ramnad and were not accepted by this Council was sought to be re-opened to-day at the time of the third reading of this Bill. It was pointed out by our party that if amendments were to be made now it would be better if the provisions contained in the old Bill of Sir Archibald Campbell were embodied and that would be acceptable to all sides of the House. That was the reason which promoted the members of our party to ask the Mover of the Bill to be so good as to move that the original clause that was in the old Bill should be allowed to find a place in the present Bill also. As that was not acceded to we thought that it would not serve any useful purpose to have a small amendment made in the third reading. I think the hon. Member from Ramnad has come and he would perhaps be able to state more clearly the circumstances under which the party came to this conclusion."

* The Hon. the PRESIDENT:—" I thought Mr. T. S. Ramaswami Ayyar was speaking for those people who had been taking interest on behalf of the inamdars."

* Mr. T. C. SRINIVASA AYYANGAR:—" I do not desire to add to the statement made by Mr. Ramaswami Ayyar. In the unavoidable absence of the Leader of the Opposition it was considered proper, that the party should be consulted in the matter. Mr. Ramaswami Ayyar communicated the opinion entertained by the party."

The Hon. Sir CHARLES SOUTER:—" I am sure the House is interested to hear the course of these discussions. My intention was to offer half a loaf. But apparently half a loaf is not sufficient. It was under those circumstances I said I did not propose to move the amendment.

" With your permission I beg to move a formal verbal amendment in clause 9-A, new section 185-B:—

" *In sub-section* (3) *of section* 185-*B between the word 'compensation' and the word 'in' occurring in the sixth line* insert *the following words, viz*:—

'*together with the cost of preparing any instrument required for the purpose.*' "

" It is merely to make the position abundantly clear that when there is a case of dispute and the collector has to decide the compensation in his order fixing the amount of compensation he must not neglect also to order that the cost of preparing any instrument shall be included.

It is merely to remove any misapprehension and as a measure of abundant caution that I move this amendment. It does not affect any of the principles of the Bill. It is purely a verbal alteration."

The House agreed to re-open the clause and the amendment was put and carried.

Clause 9-A as further amended was put and carried.

The motion that the Bill be passed into law was then taken up for discussion.

* The Hon. the PRESIDENT:—" May I say a word? We have spent several days on this particular Bill. I strongly advise hon. Members to be brief in their remarks at this stage and not to repeat the arguments that have been very often repeated on the floor of this House."

* Mr. T. C. SRINIVASA AYYANGAR:—" I thank you, Sir, for the very kind direction. I am not doing well since last night and your suggestion is personally welcome. It only remains at this stage to sum up the results achieved by the Bill which has to be now passed by the Council, and to see what effect it will have, what hopes it will satisfy and what disappointments it may cause. Sir, Sir Charles Souter said that no dire consequences would result and that time will show that these provisions are necessary, and that people will settle down and reconcile themselves. I wish I were able to agree with him. Facts are too strong to enable me to do so. But I do recognize the high motives which prompted Sir Archibald Campbell as also Sir Charles Souter in bringing forward a Bill of this character. They put forward that the Bill is in the interests of the tenants. It is said that the position of the inam tenants is far worse than the position of any other set of agricultural tenants. This statement has been made by the Hon. Sir Charles Souter on two occasions at and after the presentation of the Select Committee report to this House. I feel called upon to say a few words. I do not say that in the country the economic position of any set of agricultural tenants is in an ideal condition, whether it is zamindari tenant, or ryotwari tenant or the inam tenant. But where is the data upon which to found this accusation that the inam tenants are in a far worse position than any other? It is difficult to accept such an assertion. It is not on any such ground, either Sir Archibald Campbell or Sir Charles Souter has based the Bills. When was this dicovered? Not a word about that subject in the statement of objects and reasons of either of the two Bills, No. 10 of 1934 or No. 11 of 1936. Such a new ground cannot be sprung on the public. If it is the basis upon which the Bill has been brought forward but must be continued, it must be founded on the investigation of facts dealing with the economic condition of the agricultural tenants in inams, zamindaris and ryotwari tracts. When was any such investigation made? Is there any data in the possession of the Government to show the economic

conditions of the *tenants*? *Then why not supply the same to us*, and why should the Government say they have no information to requests for information? The condition of many of the inamdars is far worse than that of many ryots. Our cry has been, all along, that there has been no investigation to show where the matter stands.

-30 p.m. " Now, Sir, if, as alleged, the condition of the inam tenant is so bad as it has been now painted, I ask whether these are the proposals that will alleviate their condition. Are these the only means by which their conditions will be alleviated? Is there no other side? Are the inamdars not to live? I may humbly restate what the Hon. the Chief Minister, the Raja of Bobbili, said in opposing Mr. Sami Venkatachalam's Bill *sought to be introduced in the interests of the zamindari ryots.* He stated that the zamindars also had to live; they had to pay their charges and they had also all sorts of difficulties, economic and others, to encounter. *If that is so in regard to the zamindars, much more so in regard to the* inamdars in this country. Now, assuming again that the condition of the inam tenants is such that legislation is called for, I wonder whether *such a drastic legislation as this is called for. Is it* by depriving one set of people (inamdars) of their rights and giving them to the tenants? Or is it by other means? Is it the case that the conditions of inams are *everywhere identical? The mover's present contention, Sir, cannot be* sustained. The condition of the zamindari tenants seems to be equally bad if not worse. That has been brought to our notice from time to time. If my recollection is wrong, I believe my hon. Friend, the Expert Member, Mr. Patnaik, will enlighten me. I believe he was presiding over a number of zamindari tenants' conferences in Mandasa Awal in Orissa. *(Interruption.) Now, nearer home at Tiruttani he presided* over a conference of zamin ryots and he had also the honour of that conference being opened by the Hon. the Chief Minister. I suppose the tenants did not gather there for thanksgiving for their prosperous condition but for ventilating their grievances. So, to say that the conditions of inam tenants are worse than those of any other tenants is to say something which is unsustainable. My personal knowledge is a limited one compared with that of others. Yet I hope mine will have some value. In the course of a fairly extensive practice—in which cases relating to the landlord and the tenant are not a few—in two districts in the south and in an adjoininig native state, I have had opportunities of learning the conditions of various classes of tenants and landholders. Further, Sir, I own lands as inamdar, inam tenant and as a ryotwari tenant. If any gentleman were to say from his personal knowledge that the condition of inam tenants in any particular area or in any particular estates is bad, it is entitled to weight. Whether such personal experience or knowledge may be coming either from Ganjam or Vizagapatam no one case assert anything about the whole Presidency without a general investigation.

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" Now, Sir, what are the results which have been achieved by this Bill? I am not going into details. My arguments against the Bill are still there as all my amendments have failed. On the other hand, the Bill has gone back over the decisions of the Select Committee, in one or two particulars. (Interruption from Mr. P. V. Krishnayya Choudari.) I am not going to take what Mr. Krishnayya has given, and I decline it with thanks. . As regards what the Hon. Sir Charles Souter has offered, I will have a word to say in its appropriate place.

" Now, the Bill has changed the existing law in four or five particulars. In the matter of undoubted rights, it has taken away the rights of the inamdar substantially. Considering the facts that the inamdars are as numerous as the inam tenants, and that in many cases they are as poor as the tenants, the Bill is unjust and confiscatory. Then, in the matter of the rump of the rights that have been left to them, in the categories of private land, provision was made that the said lands should be registered under a compulsory process within two years on pain of inamdars losing those rights. The Hon. Sir Charles Souter saw the danger and the difficulty of such a provision and agreed in the Select Committee to delete the provision. The inamdars are beholden to him for the relief. The assumption underlying the original bill of Sir Archibald Compbell was that the occupier was entitled to kudivaram and there could be nothing seriously wrong in property being taken from people who improperly held it and giving it to people who properly should have it. That was the author's view and his Bill went forth. But elsewhere it was held and very rightly that it was a confiscatory legislation. And the Bill was vetoed by the Viceroy. He expressed clearly that if inamdars' rights are to be taken away and tenants are to acquire the same, it must be on equitable compensation. It is obvious that the basis on which the deprival of the inamdars' right in the said Bill rests, was held to be untenable. Instead of producing a Bill on the basis of inamdars' rights and framing proposals for interfering with rights, when unavoidable, and providing for compensation, the old Bill was simply adopted with two clauses for compensation. What is the compensation? One year's rent, a ridiculous amount. The Hon. Sir Charles Souter attempted yesterday a strange justification. He gave a new meaning for compensation; what is the meaning?; who is to be compensated? The man who loses or the man from whom a thing is taken is to be compensated. That is our view, every body's view till now. But Sir Charles' definition seems to be different. I speak subject to correction. According to him, compensation will have to be measured from the point of view of the giver. The tenant who is to gain the kudivaram right and not from the point of view of the inamdars who are deprived of the right. I do not know if it is a proposition in law, or a measure of damages from a popular stand-point. It is neither legal nor equitable. The Government will not be given credit for this originality.

" Sir, compensation has been directed in the Viceroy's notification. If a Bill of this character is to go forward as law, a provision for compensation ought to be there. Nobody can get over that however unwilling he may be to provide for it. What could be the lowest irreducible fraction in the recurring annual rent, the incident in the relationship of landlord and tenant? Can it be less than a year's rent? That was proposed in the Bill. The notification is apparently complied with. If anybody opposes it, the burden is upon him to prove. I certainly discharged the burden to some extent. The compliance thereby with the Viceroy's notification was more apparent than real. The Hon. Sir Charles was good enough in the Select Committee to view that this was an iniquitously small amount and he lifted it putting it at somewhere up to but not exceeding two and a half times. But there too, he consented to put it as the maximum and not as the minimum. Then, look at the elaborate machinery. Sir, if any dispute arises between the ryot and the landholder over the compensation, the inamdar has to go before the Collector with an appeal to the District Collector. What would be the cost therefor? Would the cost be commensurate with the compensation? Surely, the cost cannot be less than two and a half times the rent. My Friend, Mr. Peddi Reddi, said yesterday, ' which fool of an inamdar will have the temerity to test it and yet think of gaining anything by this process? Thus even the developed provision of compensation in the Select Committee's report with an elaborate machinery to decide disputes, a machinery which involves cost, which involves time, which would lead to, after the result, whoever be the winner, bitterness between the inamdar and tenant which may continue for a long time. Surely no inamdar, if he has got his head on his shoulders, will think of compensation. The provisions of the Bill will effectively prevent him from claiming compensation even, if the deprival of his rights would reduce him to penury. The compensation by two and a half years' rent was taken from a provision in the Act I of 1908, relating to ' old waste.' The kudivaram lands now under discussion may not be waste, may be well cultivated arable lands. Even this two and a half years' rent is not real compensation. Even that nominal thing has been a red rag to many people. My Hon. Friend, Mr. C. R. Reddi, the Leader of the Congress Party, moved that it must be reduced to ' up to one year's rent.' Note, Sir, the maximum is one year's rent. Perhaps he yielded to persuasive counsel and agreed to amend his own amendment by saying ' equivalent to one year's rent.' I ask, Sir, in all conscience whether it is not an illusory provision in the name of compensation. I mentioned on an earlier occasion, that it partakes of the character of contemptuous damages. Is it what the Viceroy meant? Is it what the Viceroy expected? Is it what the country can take it as fair?

" Now, Sir, there is another thing I desire to advert to. There is a provision for a special tribunal, a very eminent tribunal considering

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the qualifications of the judges who will compose it. There has been one expanding amendment that instead of one tribunal there will be many tribunals as there is need for them. What is this tribunal for? The *inamdar* must get a declaration from this tribunal of his kudivaram rights in lands which do not come within the categories of private land. This is a novel, costly and uncalled for provision. As lawyers we are familiar with two requisites for litigation. One of them is that no suit 3--
would lie unless there is a cause of auction. A cause of action would arise p.
as my hon. Friend, the Expert Member, would agree—if there is an infringement of a right. When there is this cause of action, there is a complaint in whom the right exists or is alleged to exist and there is a defendant. Now, there may be a number of cases in which the inamdar may be cultivating his land, though he may not have cultivated those lands of his which will satisfy the definition of private land. (Items 2 and 3.) Now, who is the tenant against whom he is to file a suit or application? Nobody denies his right, and yet he must go to this special 'tribunal' and have it declared at his cost. Now in cases where there is a tenant willing to pay compensation that compensation will not exceed one year's rent as now decided by the Council. For, after all, the tenant may not pay and the only remedy is to eject him. So, litigation before this special tribunal may be in respect of property on which there is no tenant, in respect of property about whose kudivaram there may be no dispute, and in respect of property about whose kudivaram there may even be previous judgments of courts and there may be nobody in the world even to pay cost. Still the inamdar have to get the declaration. Are these benefits to the inamdar or tenants either? Neither can afford it. In these circumstances if I do not feel as hopeful as my hon. Friend, the Mover of the Bill, or the more enthusiastic Expert Member about the very beneficial consequences of this measure, I hope the House will pardon me. The Bill remain expropriatory with no real provision for compensation.

" Now, Sir, I do not desire to detain the Council with any very long speech. I have already made many speeches and I take your direction with gratitude and I close with the words 'I oppose the motion.' "

* Rai Sahib C. KOLANDA REDDI :—(On rising, the hon. Member was greeted with laughter.) " Mr. President, Sir, I have been watching the discussion of this Bill very closely and I think I must congratulate the Hon. the Revenue Member (The Kumararaja of Venkatagiri: 'Hear, hear ') for piloting the measure so ably, with a smile which disarms opposition. He has been steering his boat clear of rocks and shoals, the Scylla and the Charybdis with the skill of an expert seaman. Nor should I forget the services rendered so ably by his—what can I say—lieutenant Mr. Patnaik. (The Kumararaja of Venkatagiri: 'Hear, hear.'). He is deservedly an Expert Member who has made a special study of the Estates Land Act in a manner and with a thoroughness which no one here can boast of. He has consecrated his life, as it

were, to the noble cause of the ryot and, I may say without fear of contradiction, he has rendered yeoman service in helping the Hon. the Revenue Member to bring this Bill to its haven.

"Now, Sir, what I am wondering at is this: After all, why should there be such a strenuous opposition at every stage and at every step to what I may call this innocuous Bill? I use the word 'innocuous' advisedly because, it does not confer any new rights upon the inam ryots nor does it take away any existing right from the inamdar. Now, it goes without saying, and every one of us here knows it very well, that the soil in India vests in the sons of the soil. Now, whatever the history of land tenure may be in England, where the land vests in the State, here in India it has been different from time immemorial. Now, Sir, even before the dawn of history, Manu has laid down that whose ever makes a beneficial use of the land, has the right of possession or ownership. Now, this dictum, or rather this law, has been handed down from sire to son, from Hindu emperors to Muslim Pashas and when the Britisher came to India, that great authority on ryotwari system—I mean Sir Thomas Munro—adopted the principle laid down by Manu. Now, the Board of Revenue, followed suit. The Privy Council also, in good old days, laid down or rather confirmed the principles that obtained in India, namely, that the zamindars and the inamdars were merely assignees of Government revenue, and that it is the exclusive privilege of the ryot to have the occupancy right, to be the possessor or the owner of the land. Now, the Sudder Diwani Adalat Court which is the predecessor of the High Court adopted the same theory. Those eminent Judges of the High Court, Justices Muthuswami Ayyar and Subrahmanya Ayyar, adopted the same principle in their decisions and they were followed by the Hon. G. S. Forbes who can be said to be the father of the Estates Land Act. He adopted the principle laid down by Justices Muthuswami Ayyar and Subrahmanya Ayyar. It is only recently that there has been some confusion caused by some Privy Council decision and it has been followed by the Madras High Court in a few decisions. In order to obviate that confusion this Bill has been brought forward. Now, Sir, these facts are very well known to Mr. T. C. Srinivasa Ayyangar and others and yet why such a strenuous opposition has been offered by them, passes comprehension.

"Now, Sir, everybody sympathizes with the poor ryots. They are dumb driven cattle. Everybody in and out of the Council poses as the friend and saviour of the masses. Saving the masses forms the integral part of everybody's programme. With all that, this Bill is being opposed. If any measure has been brought forward of late by the Government, to help the poor masses, I dare say this is one. But yet, it is not the alien Government, that is said to have no feeling for the masses, that is opposed to this measure; nor does the opposition

come from the zamindars who are supposed to be reactionaries; nor for the matter of that from that party which is condemned in season and out of season and with reason and without reason! But who are they that are opposed to this measure? Who forms the bulk of the opposition to this simple measure which wants to do some tangible good to the downtrodden ryots? The opposition sought to draw a distinction between the inam ryots and the zamindari ryots and the latter are said to be in a worse state than the former. I will come to that presently. As I was saying, who are those that are opposed to this wholesome measure? Well, Sir, they are the nationalists and some of whom have blossomed out into congressmen. (Laughter.) All these combine and say that they are the only persons who are out to help the ryots from the morass into which they have been thrown by the alien Government or the reactionary zamindars. Now, Sir, the proof of the pudding is in the eating of it. An ounce of practice is worth tons of tall talk. Well, Sir, there has been talk and talk, and here has come the acid test of the sincerity of those people that have been talking about saving the masses from the clutches of the classes. Now, Sir, this is how they have been helping the masses for the last 5 or 6 days by fighting inch after inch against any little thing that is intended for the good of the masses. Well, Sir, this is a lesson to the masses—a lesson and a warning. They can understand who is their friend and who is their foe.

"Now, Sir, I am of course really very sorry for my good friend Sir Archibald Patro (loud laughter). I cannot understand for the life of me, why Sir Archibald Patro turned such a *volte-face* or somersault. . ."

* The Hon. the PRESIDENT:—" I do not think the hon. Member is justified in giving nicknames to hon. Members of the House."

Rai Sahib C. KOLANDA REDDI:—" I thought 'A' stood for Archibald. Sir, he is the man who blessed this Bill copiously at the start. I wonder why he has made such a somersault. I cannot understand his mental gymnastics or gyrations. Of course he put in a plea, but it was not convincing. His plea was that inconsistency is a virtue in certain conditions and he quoted Lord Salisbury in the case of Lord Goschen—not our ex-Governor but his father—who was supposed to be a dark horse in English politics.

"I say that inconsistency is categorically a virtue with big men, supermen like Hitler or my Friend Sir Patro, but with poor mortals like ourselves, consistency is a virtue. I leave it at that. I do not know, Sir, times are out of joint, to quote the words of the poet. These inams were given by zamindars to inamdars or agraharamdars, (i.e.)—the good old Brahmans—for the purpose of transporting their deceased ancestors to heaven and then negotiate with God to grant them salvation (laughter). I do not know how far they attained their object. They, the zamindars on the other side, may give out their experience and the

information they received. What I wonder is those Brahmans of old were really good fellows. The grant of the inams to them would have never meant kudivaram right which means cultivation because for the one reason that olden-day Brahmans would not have cultivated their lands at all for fear of sin. There is a sloka in the Sastras the English translation of which is this: that the sin committed during one year's fishing is equal to the sin committed during one day's ploughing because the lives killed in the latter case is by far larger in number than in the former. I say that the inam granted to a Brahman in olden days would never have meant the kudivaram right, because he would never touch the soil with a plough. Thus he would not touch kudivaram right with a long pair of tongs; if he were to be alive now, he would not fight at all for the kudivaram right He would readily agree to the kudivaram right being transferred to the sons of the soil, viz., the tenants. But the modern-day Brahman wants everything. He is omnivorous. He wants melvaram as well as kudivaram. He would swallow camels—Elephants too. If you will excuse me, I may say that the sweet persuasion and reasonableness of my valued Friend Mr. T. C. Srinivasa Ayyangar has been wasted upon a cause which is not worthy of it. Now to the inam ryots. They are the worst victims and they are treated even worse than the zamindari ryots. That question has often been raised on the floor of this House as to who is worse victim. What I say is this: a friend of mine who has very great experience in these matters told me in a conference, not privately, that the zamindar is like a python, the large jungle snake which lies and opens its mouth and swallows whatever comes its way and not looking this side or that; whereas the inamdar, he said, is a viper which winds round the ryot and slowly crushes his life. If the ryots who assembled at a conference at Gudivada under my presidency were allowed to have their say on the floor of this House, then my friends will understand what their plight is. The rate of assessment has been raised from time to time until it reached the abnormal and alarming rate of 1 candy, 3 or 6 bags of paddy. That means 16 bags of paddy weighing 166 lb. each. If you want, I shall produce documents to illustrate this."

* The Hon. the PRESIDENT:—" The hon. Member will be more relevant if he refers to the provisions of the Bill and not to give a talk upon the general condition of tenants and inamdars."

Rai Sahib C. KOLANDA REDDI:—" Well, I am talking about the terms of the Bill. There is a proviso under clause 6 of the Bill as emerged from the Select Committee which says that the rent obtaining on the 1st November 1933 shall be considered to be fair rent and it forms more or less the basis for calculation under this Bill. Well, Sir, on 1st November 1933, there are rents varying from 5 bags of paddy to 15 bags of paddy per acre. Now, if this is considered fair rent, what is unfair rent nobody knows. At the present day a ryot cannot raise

more than $1\frac{1}{2}$ candy on an acre of land. If all this goes as rent to the inamdar, what is it that you allow for the ryot to eat. Is it paddy or hay? Even Sir Charles Souter was brought round by Members of the Select Committee and that proviso was introduced. If that proviso remains in this statute, woe unto the ryot. Then this Bill will be a bane and not a boon to the ryots because for one or two years only rack-renting can be tolerated. But this Bill tends to perpetuate it for years together. I gave notice of an amendment to delete that proviso, but unfortunately I was not able to be present that day and so I could not move it. The amendment that I sought to introduce was to take away this proviso and substitute in its stead 'the rate of tax or rent that obtains in the neighbouring ryotwari land,' which on 1st November 1933 shall be considered a fair rent. Now, Sir, there is a very great disparity between the rates that obtain in the inam areas and those that obtain in the ryotwari areas. So, unless and until the rates in inam areas are brought into line with those that obtain in the ryotwari area, there can be no hope or salvation for the ryots in the inam areas. What I request under these circumstances is that this Bill may be returned again by His Excellency the Governor or His Excellency the Viceroy with the request that the amendment that I have referred to must be substituted in place of the proviso that now stands under clause 6 of the Bill.

"Now, Sir, with regard to compensation, as admitted by my hon. Friend Mr. T. C. Srinivasa Ayyangar, on principle no compensation is due to the inamdars. My Friend Mr. T. C. Srinivasa Ayyangar can talk like a lawyer. What I say is that absolutely no compensation should be given for simply confirming the rights which already existed in favour of inam ryots. For this purpose $2\frac{1}{2}$ times of annual rent have been proposed in the Bill as compensation. My Friend Mr. Krishnayya Choudari proposed that a nominal rate of Re. 1 might be given as compensation. I am afraid if that had been done it would not have satisfied the High Command which vetoed the previous Bill. In the new Bill it was originally one year's rent, but gradually it developed into $2\frac{1}{2}$ times the annual rental. I gave notice for amending this item too, but I could not be here. Fortunately my hon. Friend Mr. C. R. Reddi moved that one year's rent should be retained and $2\frac{1}{2}$ times be dropped and be succeeded. All is well that ends well. Very well. I shall stop here if you don't want that I should proceed further."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, I do not want to take up the time of the House but I desire to make it clear that the United Nationalist Party, who took interest in this Bill, were from the beginning desirous of giving relief to ryots wherever they felt that relief was due, whether the ryots were in zamindaris or inams. The question that arose was how legislation that was undertaken was to be put through so as to cause minimum injury to the existing rights over property which people possessed. In our anxiety to give relief to one set of people, we cannot do violent injury to the vested or long

enjoyed rights of others. An attempt has therefore been made by th United Nationalist Party to hold the scales even. In some poin the party has not been able to achieve the object it had in view. Bu the members of the party have been sincerely trying as much as othe groups in this House to give relief to the ryots.

4-15 p.m. "If legislation was to be undertaken on the question of land tenur the party thought that it should be on a comprehensive scale, and shoul not be patch work legislation. However, when it was pointed out tha the Privy Council decision had created a confusion with regard to th rights of the tenants, the United Nationalists Party thought that the should certainly allow a Bill to go through which would change th onus of proof. With regard to onus of proof we agreed that the onu should be cast on the inamdars but when we had to decide about rule of evidence and about compensation, we thought that we as legislator should not be carried away by preconceived ideas that one person wa poor and another person was rich. The party thought that in a matte like this the legislation should proceed cautiously. Unless there was comprehensive survey of the conditions of the people affected by th legislation it should not be such as to cause violence to existing right Our party however has not been behindhand in any manner in th matter of advancing the rights of the tenants. (Mr. C. Kolanda Reddi 'Hear, hear.)' I do not want to refer to the details to which my hon Friend referred nor to go into the cases of individuals and commun ties. It is enough for my purpose to refer to the parties affected b this Bill.

"The moot point in the present Bill is what should be the compen sation. The other points perhaps are not quite germane to the discu sion. Whether the compensation provided was adequate and equitable the main question. We feel that one year's rent is not equitable compe sation. The other question that has been raised is that of evidence. W thought that the ordinary rules of evidence as embodied in the Evidenc Act should control the procedure when rights of parties are concerne But if special rules of evidence are called for, then those rules whic apply in the case of zamindars should apply in the case of inamdar also. That was the principle which guided us at our party meetin this afternoon when we considered the offer of the Hon. the Revenu Member to reopen the discussion on certain clauses regarding eviden which were discussed and defeated yesterday. If the questions of com pensation and evidence had been decided fairly, we need have no quarr with the decision of this House. But I am afraid that the Bill a passed has not given satisfaction with regard to those two points."

* The Hon. the RAJA OF BOBBILI:—"Sir, as opportunity has bee taken by the various Members of this House to express their view generally on the main features of the Inams Bill, I feel it my duty place my views also before this House. In spite of the statements mad

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on numerous occasions by those who have been consistently supporting this measure, I have heard during the last few days many strong arguments from the other side to the effect that the inamdars have been placed on a more disadvantageous position than the zamindars. Of course I do not wish to take up the valuable time of the House at this late hour, but I only wish to state that it the legislation which is now before the House is examined impartially it will be found there can be no doubt that many concessions have been given to inamdars and that they are placed certainly in a more favourable position than the zamindars under the Estates Land Act. Hon. Members of this House are no doubt aware that as far as private lands are concerned we have enlarged the categories of private lands under which inamdars are allowed to put in their claim; for example ' the land, the entire kudivaram in which was acquired by the landholder before 1st November 1933 for valuable consideration ' is a special category and a concession which has been given to the inamdars. Then again in the case of court decrees we have given the right to enjoy the land for a period of 12 years at the end of which the inamdar can, subject to such rate of premium as may be agreed upon between him and the tenant, let out the land. I have stated in my speech in 1933 that the inamdars cannot claim in their lands any greater rights than the zamindars or the original grantors possessed. It is admitted on all sides that occupancy is an incidence on the land and that the actual tiller of the soil is the owner of that right. There can be no claim to the occupancy right by the inamdars. Another point is that from time to time in these discussions the main issues have been skilfully confused by bringing in the case of the smaller inamdars. It must be made clear that this Bill is intended only for whole inam villages and minor inams do not come within the purview of this legislation. It is also to be stated that there is no force in the argument that the inamdars have special legal rights which they are being deprived of. I do not see why there should be any distinction between inams which have been granted before the permanent settlement and those which have been granted subsequently. Hon. Members are aware that in the case of subsequent inams whatever might be their extent—whether 10 acres or 10 cents—they constitute estates under the Estates Land Act. And I do not see any legal grounds on account of the accident of the date of the grant for placing the tenants in these villages on a different footing.

" Then my hon. Friend Mr. T. C. Srinivasa Ayyangar laid great stress on the point that it has not been proved that the inam tenants are either worse off than the zamindari tenants or that they are in need of any special relief or protection. I may state that the very fact that they are tenants at will and the rent is liable to be enhanced is sufficient ground to say that in this country where the population is pressing heavily on the land the lot of the inam tenants cannot possibly be an enviable one.

"As regards compensation we find curious arguments put forward. These inamdars ought to realize that it is one of the special concessions given to them for which there is no parallel in the Estates Land Act. First of all, they are given additional categories of private land and in the special category of land where they are permitted to have their right the kudivaram also has been included. We have now extended the categories of private land as compared with the position of the zamindars and the only other case that remains is the case of a grant where the inamdar was the original cultivator at the time of the grant. But seeing that this legislation confines itself only to whole inam villages it cannot be conceived that at the time of the grant there were no tenants or there was no cultivation in the village and that the inamdar was given both the varams.

"Coming to the question of forest lands which have been reclaimed it has been already stated that under the general provisions of the Act they will be entitled to enjoy them for a period of 30 years.

"As regards compensation I wish to stress that it is a mistaken notion to bring in the Land Acquisition Act, because in this case the so-called kudivaram right is not a right which in my opinion, could be converted in terms of rupees. It is a right which according to the inamdars they might or might not be able to establish in a court of law and it is a right which in our opinion according to the principles of land tenure in this country cannot be recognized and for which no compensation is due. But I do not wish to go over the grounds or repeat the reasons why this provision had to be embodied in the Bill. So the inamdars ought really to be grateful for these special concessions which have been conceded to them and for the additional specific right to eject tenants within a period of one year if the tenant either refuses or is unable to pay compensation.

-30 .m. "Of course it has been stated and overstated that this is no advantage to them because after ejecting the tenant, they cannot convert the lands into private lands. If it is remembered that it is one of the primary principles of this Act that the category of private land should not, under any circumstances, be enlarged, it will be found that there is no real foundation to this claim. Since they have been given a special right, it is absolutely necessary that we should have special rules of evidence.

"Before I close, I feel it my duty to answer the various unfair criticisms made against those who have been consistently supporting this legislation. Opportunity has been taken in season and out of season by certain individuals to state that this measure is really intended to hit the Brahman community. Then again, Sir, some speakers have stated that as far as the present enjoyment of inams is taken into consideration . . ."

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* Mr. T. C. SRINIVASA AYYANGAR:—" No Member has stated that was aimed against the Brahman community; at any rate no Brahman [ember of the House has said that; this is a serious allegation; I have ıken part in the various discussions in the House and I never stated hat. More than once I have stated that Non-Brahmans will be subtantially affected by this Bill. I believe two or three years ago, the Ion. the Chief Minister when he referred to this point, quoted my peech, to that effect."

* The Hon. the RAJA OF BOBBILI:—" I am not making this serious llegation as Mr. Srinivasa Ayyangar calls it against the Brahman ommunity. I have been saying that we have been attacked for sup- orting this measure on the ground that it is intended to hit the Brahman community. I may state it is not at all a fact, because those ery speakers who have been championing the cause of the inamdars ıave stated in this Council that, if a census is taken at present, regardng the actual enjoyment of the lands, the majority will be Non-Brahman inamdars. Some other charges have been made; one is that namdars are not represented in this House and so this Bill should not e brought forward. I am sure every one will agree that the cause of he inamdars has not suffered for the lack of advocacy of their cause. But I may state that it is not merely those who have been sitting on he other side that have been opposing this measure who are affected by his Bill; but there are a large number on our side behind me who ıave interest as inamdars but who have in the larger interest of the ountry been consistently supporting this measure.

" There is one other point which has been brought to the notice of the House by my hon. Friend, Mr. C. K. Reddi, and that is with eference to clause (6). I have been personally opposed to this provi- ion from the beginning. I might say that although Mr. Srinivasa Ayyangar has called the benefits of the inamdars under this Bill as llusory, I would say that I will not be surprised if this proviso makes he safeguards to inam tenants illusory in actnal practice. I hope hat no such adverse results would follow. I hope the Government will, in future, carefully consider the question of amending the Act n that direction if necessary.

" Before I close, I wish to just say that this legislation has not been upported and sponsored either on political or communal grounds, out only in furtherance of the principles for which we stand and we ıave the satisfaction when this Bill becomes law—as we hope it will e—of having enfranchised nearly a million tenants in inam villages, hus enlarging the electorates.

" Yesterday, Dr. Subharayan, the Leader of the Opposition, made some remarks and I do not wish to leave them unchallenged. It is stated that Government are really helping the forces of socialism and communism by sponsoring this measure. Of course, if communism and terrorism have not found fruitful soil in our province, it is due to

the fact that practically every member of the rural population some interest or other in the land. The principles of communism as everybody realizes, totally opposed to individual ownership of la and it is to guard against any such political theories that we are s porting this measure which will, I am sure, be one giving not security of tenure but peace and contentment to nearly one-third of agricultural population in the zamindari areas which include in also.

"Another point which I regret in the speech of Dr. Subbaray Leader of the Opposition, is when he threw a hint that matters will be left at this stage and that they are not prepared to accept the ver of this House; and they will carry the matter to higher authorit In this connexion, speaking in the year 1933, Dr. Subbarayan sta that if they felt they were responsible Members of this House, t ought to think the decision of the House binding on them; he sta that was why he was against the safeguards. Now I find, Sir, a he has been transformed into a congressman, a change has come in mental outlook and he now wishes to take advantage of it. I do know whether he is speaking on his personal behalf or on behalf of Congress which he joined. His exact position I do not understa whether he is supposed to belong to the Nationalist Party in the Ho or the Congress Party outside. (Interruption by Mr. T. C. Sriniv Ayyangar.) *What is the official policy of the Congress in this matt* At the same time I would like to add that I am very grateful, Sir, my hon. Friend, Mr. C. R. Reddi and his group who have been giv their support to this measure, both by votes and speeches and who h shown the courage of their convictions.

"In conclusion, I wish to appreciate the great patience and with which the Hon. the Revenue Member has piloted this measure I hope and trust that before long this will find its place in the stat book and will be a lasting boon to the inam tenants. Before I res my seat, I should like to say a word of appreciation of my friend, Patnaik, who has from the outset of the legislation been of grea assistance in all stages of this measure. I should not take up m more time of the House."

* Mr. P. PEDDI RAJU:—" Mr. President, Sir, we have come to end of the day and I do not wish to take more time of the House. I wish to say is that this Government has not loyally carried out wishes of the Viceroy in his message. The Hon. the Revenue Mem suggested an amendment which was not accepted by the House. this connexion I have to read the few words of the message, 'I h reached the conclusion that the Act is expropriatory in that it invol the loss of the kudivaram of lands included in their inams by th inamdars who under the existing law would be in a position to establ their ownership of the kudivaram . . .' I would draw the pa cular attention of the House to the very wording of the Viceroy's le

when he says that the inamdar may be able to establish his ownership of kudivaram under the existing law. Has anything been done by the Government to carry out his wish? The Hon. the Revenue Member himself in the first stage of the Bill referred to these words; I may be permitted to quote his own words. By conferring occupancy right upon the tenant, it will be only fair to see that no harm is done to the inamdar, only to the inamdar who can prove that under the existing law, mark *these words, he possesses the kudivaram right*. He himself insisted on this point in his speech.

"And I ask, in all submission, Sir, whether the Hon. the Revenue Member has been able to carry out the wishes of the Viceroy in regard to provisions relating to those inamdars who under the existing law would be in a position to establish their ownership of the kudivaram; when the new provisions under clause 9 of the Bill go against the principles of the existing law, I fail to see how the Viceroy's notification or his wishes have been carried out. 4-4 p.m.

"Then, Sir, as regards the question of compensation and the quantum of compensation, I have been saying that under the provisions as enacted in the Bill, no useful purpose would be served by any inamdar going before a special tribunal and trying to get compensation. Even if it is ten times the annual rental value, I say it is not worth his while. I would draw the attention of this House once more to the policy of the Government. We are all aware, Sir, that this legislation has not been originally initiated by the Government and that it was initiated on the suggestion of two Members. (Sriman M. G. Patnaik Mahasayo: 'No.') Later on, the Government took it up. In this connexion I would only quote a few words from Sir Thomas Moir when dealing with the Malabar Tenancy Bill:

'Are we going to set up as the standard of legislation in this House one which, I think, had been repudiated again and again by legislatures whose existence has been for a much longer term than the life of this legislature? Are we going to say that there is no principle to be observed in legislation, that legislation need not be based on any principle, it is to be based merely on the exigencies of party politics or the claims of a majority from time to time? Is that the general and fluctuating principle on which our legislation is to be based? We, as a Government, cannot concede or accept that position and as we have said in a matter of this kind we have a special responsibility and think it is our duty to place before the House the real issue which has to be considered in respect of this legislation.'

"These are words which must have reached the ears of the Government, and I ask the Hon. Member whether he has loyally carried out the wishes of the Viceroy in his message, or whether he has carried out the principles of the Government as laid down by Sir Thomas Moir in enacting a legislation of this kind.

"One word more, Sir, and I am done. You have given occupancy rights to the tenants having possession. We were submitting that if a tenant has been in possession at least for half a dozen years, he may

person from whom you take away those rights.' And that, Sir, is precisely what this Bill effects to do. The amount of compensation for taking away that right may be a matter for argument. This House has held, I think, not unreasonably, that the payment of one year's rental is sufficient compensation for this alleged right under the existing law. However that might be, we have carried out the Viceroy's message, I consider, in its entirety, and Mr. Peddi Raju's argument seems to me, on those grounds, to exhibit a very strange confusion of thought.

"Now, Sir, I do not wish to say anything more, especially as the Hon. the Raja Sahib of Bobbili has traversed the ground completely. But I would like at this stage to say how very much I have enjoyed the able advocacy of my hon. Friend, Mr. T. C. Srinivasa Ayyangar, throughout. Whatever the force of his opinions, and whatever his attitude towards the Government, his arguments have always been expressed, if I may say so, in a fair and reasonable manner, to which I at any rate could not possibly take exception; and to me at any rate, it is a treat to fight with an adversary of that sort. (' Hear, hear.')

"Then, Sir, I must repeat again what I said once before, i.e., how much I am indebted to the expert member, Mr. Patnaik. He really has the Madras Estates Land Act, not as we used to say ' on the brain ' but ' in the brain.' His knowledge of it is profonnd, and that knowledge he has placed unreservedly at the disposal of the Government. Without his assistance, well, I may confess that I for one would have found it very difficult to get on.

"Sir, I have got only one more word to say and then I must stop. I honestly believe that this legislation is not to do the harm which my rather pessimistic friend Mr. Peddi Raju seemed to think it would do. On the contrary, I consider that by this piece of legislation, we have completed a course of legislation in this Presidency which has been going on for the last thirty years. And as my Hon. Friend the Raja Sahib said, by doing so, we bring into the general fold all those who in future will be responsible for choosing the persons who will legislate for them—we have got into that fold something like a million electors. Surely, if this piece of legislation did nothing else, it was worth it on that ground.

"On all grounds, therefore, Sir, I think that we ought to pass this Bill; and I commend my motion for the consideration of the House."

* The Hon. the PRESIDENT:—"The question is that Bill No. 11 of 1936 be passed into law."

The motion was put and carried and the Bill was passed into Law.

The House then adjourned to meet again at 11 a.m. the next day.

be given the right of occupancy right; but any tenant without himself actually cultivating, may put another tenant to-morrow, or he may engage a third person, but the right will not be passed on to the man who will be the agricultural labourer or the man who tills the soil. So, you are creating another set of intermediate landholders as before, and you are encouraging them to rackrent the poor people as you now allege they do. As I observed the other day, quite apart from the fact that the Bill is either confiscatory or expropriatory, you are converting all these lands to become waste in course of time, because the tenant who is now the actual cultivator will not be able to improve them and the person who has been improving them will not improve them hereafter; and thus, this legislation, I presume, will be a vandalistic piece of legislation in the end."

* The Hon. Sir CHARLES SOUTER:—"Mr. President, Sir, within the short time left to me to speak if we are to get through this piece of legislation this evening, I do not wish to go into any detail on the merits or demerits of this Bill; because I have for the last four or five days been constantly on my feet speakiug about the details of it and have explained the Government's position in the matter, I hope, fully. But there are one or two points on which I might animadvert; and the first of those is that my friend Mr. T. C. Srinivasa Ayyangar declared that this measure would result probably in creating a bitterness in inam villages which did not exist before. My criticism of that is as follows: If the inamdars have not fought against this measure so strenuously and in particular did not insist on it that they were losing a right for which they ought to be compensated, such bitterness in the future would not possibly have arisen. My own feeling in the matter is that although the inamdars have to some extent been successful in their agitation to get compensation, it was on their part a tactical mistake, so far as the relations with their tenants went. It would, in my opinion, have been far better for them and their future relations with their tenants, to have acquiesced in the position which the zamindars as a whole have occupied for the last thirty years, and agreed that if occupancy right was to be given to their tenants, they would not claim compensation. However, they thought otherwise, and in my view, if any bitterness does arise in future, the fault lies to a large extent on the inamdars themselves.

"Now, Sir, Mr. Peddi Raju asked whether this Government had carried out conscientiously the Viceroy's message. Now, what the Viceroy said was that in his view, if you take away a right from the inamdar which he had under the existing law, you must pay him compensation. That is all that the Viceroy had said in his message. He did not say 'continue to the inamdar the right which he has got under the existing law.' He could not have said so, because the whole scheme of the Act is to take away those privileges or rights which are alleged to exist and give them to somebody else. All that the Viceroy said was: 'if you do that, you must pay compensation to the

person from whom you take away those rights.' And that, Sir, is precisely what this Bill effects to do. The amount of compensation for taking away that right may be a matter for argument. This House has held, I think, not unreasonably, that the payment of one year's rental is sufficient compensation for this alleged right under the existing law. However that might be, we have carried out the Viceroy's message, I consider, in its entirety, and Mr. Peddi Raju's argument seems to me, on those grounds, to exhibit a very strange confusion of thought.

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The motion was put and carried and the Bill was passed into Law.

The House then adjourned to meet again at 11 a.m. the next day.

[3rd September 1936

VII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

[a] 1. *G.O. No. 2531, Revenue, dated 25th October 1935, publish rules and executive instructions for the grant of loans for the re of indebtedness under the Agriculturists' Loans Act,* 1884, *as amen by the Madras Act XVI of* 1935.

[b] 2. *Note from the Home Department with reference to the ans given to the supplementary question to question No.* 1057 *at the meet of the Legislative Council held on the 27th March* 1936.

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Cou

[a] **Printed as Appendix III on pages 800–816 infra.**
[b] **Printed as Appendix IV on page 816 infra.**

APPENDIX I.

[Vide answer to question No. 358 asked by Mr. Basheer Ahmed Sayeed at the meeting of the Legislative Council held on the 3rd September 1936, page 735 supra.]

—	Coimbatore.	South Arcot.	Chingleput.
1 Strength of the establishment.	3 smith clerks ..	4 smith clerks ..	3 smith clerks.
2 Salary paid to each member.	Rs. 20 per mensem.	Rs. 20 per mensem.	Rs. 28 per mensem.
3 Nature and tenure of the service of each member.	Temporary and non-pensionable.		
4 The area each member has to cover.	One smith is to work in Gobichettipalaiyam and Erode Revenue divisions, another in the Pollachi Revenue division and the third in Kollegal and Coimbatore Revenue divisions.	A Revenue division of the district.	One clerk is to work in Tiruvallur and Ponneri taluks, another in Saidapet, Sriperumbudur and Conjeeveram taluks exclusive of Uttiramerur sub-taluk and the other in Chingleput and Madurantakam taluks and Uttiramerur sub-taluk.
5 Duties of each member.	Testing and stamping weights and measures.		

APPENDIX II.

[Vide answer to question No. 359 asked by Mr. Basheer Ahmed Sayeed at the meeting of the Legislative Council held on the 3rd September 1936, page 737 supra.]

—	Year.	Number of cases prosecuted.	Number of cases which ended in conviction.	Amount of fines.
				RS.
Coimbatore district	1932–33 ..	170	89	380
Erode taluk	1932–33 ..	..	..	..
Coimbatore district	1933–34	36	13	Amount of fees relating to other taluks not available.
Erode taluk	1933–34 ..	24	11	107
Coimbatore district	1934–35 ..	4	4	75
Erode taluk	1934–35 ..	..	..	..
Coimbatore district	1935–36 ..	59	56	33
Erode taluk	1935–36 ..	..	..	..

[3rd September 1936

Appendix III.

[Vide item VII (1) at page 798 supra.]

G.O. No. 2531, Revenue, dated 25th October 1935.

The Government approve the rules and executive instructions annexed to this Order for the grant of loans for the relief of indebtedness under the Agriculturists' Loans Act as amended by Madras Act XVI of 1935.

2. The notification contained in Annexure I to this Order will be published in the *Fort St. George Gazette*, dated 29th October 1935.

(By order of the Governor in Council)

H. R. Uzielli,
Secretary to Government.

To the Board of Revenue (Land Revenue and Settlement).
,, Law (General) Department.
,, Development Department.
,, Law (Drafting) Department.
,, Superintendent, Government Press, for publication of notification.

ANNEXURE I.

NOTIFICATION.

Rules for the grant of loans for the relief of indebtedness under the Agriculturists' Loans Act, 1884, as amended by the Madras Act XVI of 1935.

In exercise of the powers conferred by sub-section (1) of section 4 of the Agriculturists' Loans Act, 1884 (XII of 1884), as amended by Madras Act XVI of 1935, the Governor in Council is hereby pleased to make the following special rules for the grant of loans for the relief of the indebtedness of agriculturists.

I. *Short title and commencement.*—(1) These rules may be called the Madras Agriculturists' Loans (Relief of Indebtedness) Rules, 1935.

(2) They shall come into force on the 29th day of October 1935.

II. *Persons to whom loans may be granted.*—Loans may be granted under these rules to persons who own lands or the occupancy right in lands, the value of which lands or right, as estimated by the officer competent to sanction the loan, does not exceed Rs. 5,000.

III. *Conditions subject to which loans may be granted and the maximum amount of loan admissible.*—(1) No loan shall be granted under these rules to any person—

(i) unless he makes full disclosure of all his liabilities; and

(ii) unless he applies for an amount of loan which would be sufficient to discharge all such liabilities.

(2) The amount of loan sanctioned to any applicant shall be limited to the amount finally ascertained as required for the discharge of all his liabilities:

Provided that no loan shall be granted if the amount so ascertained exceeds Rs. 2,000.

(3) In this rule, the expression 'liabilities' wherever it occurs except in clause (i) of sub-rule (1) shall not include—

(a) arrears of wages;

(b) land revenue or anything recoverable as an arrear of land revenue;

(c) rent as defined in the Madras Estates Land Act, 1908 (Madras Act I of 1908); or

(d) any money the recovery of which by suit is barred by limitation.

NOTE.—The scheme is intended to give relief to agriculturists a substantial portion of whose liabilities was originally incurred during the boom period, i.e., prior to 1932, and whom therefore the succeeding period of depression has hit hardest. The Special Loans Officer should keep this intention constantly in view, and should refuse to accept applications unless the bulk of the liabilities was incurred prior to 1932. Liabilities incurred on or after 1st January 1932 for the settlement or renewal of debts contracted before that date may, for the purpose of this note, be treated as liabilities incurred prior to 1932.

IV. *Officer competent to sanction loans.*—All loans under these rules shall be sanctioned by an officer specially appointed for the purpose for any specified area or areas by the Local Government. The officer so appointed shall be designated the Special Loans Officer for such area or areas. The Special Loans Officer shall have power to reject any application for a loan under these rules.

The Local Government may also empower any officer by name or in virtue of his office to exercise the powers of a Special Loans Officer under these rules either generally or in any specified area.

V. *Application for loans.*—Every application for a loan under these rules shall be made to the Special Loans Officer in writing in Form A hereto annexed. The application shall be signed by the applicant himself, or if he is illiterate, shall bear his mark, which shall be attested by two respectable witnesses.

NOTE.—Printed copies of Form A can be obtained free of charge, from all Revenue Inspectors and village headmen.

VI. *Procedure on receipt of application.*—On receipt of an application for a loan the Special Loans Officer shall satisfy himself, by communication with the creditors of the applicant or otherwise, that the loan, if granted, will effectually relieve the applicant from his indebtedness.

In determining the indebtedness of a person under this rule, the following shall not be taken into account, namely:—

(a) arrears of wages;

(b) land revenue or anything recoverable as an arrear of land revenue;

(c) rent as defined in the Madras Estates Land Act, 1908 (Madras Act I of 1908); or

(d) any money the recovery of which by suit is barred by limitation.

Note.—(1) Notices shall be issued by the Special Loans Officer—

(a) to the applicant in Form I, and

(b) to his creditors in Form II,

to appear in person with the documents and other records and on a day, mentioned in the notice. On the receipt of all the documents and records connected with the claims of the creditors, the Special Loans Officer shall scrutinize the same and shall, if necessary, examine the creditors and the applicant and make such other inquiry as he may think fit, in respect of the nature, binding character and amount of each claim. He shall then fix the amount which, in his opinion and in the circumstances, should in equity be accepted by each creditor in full settlement of his claim against the applicant. The amount fixed, in respect of each creditor, shall be appreciably less than what the creditor may, according to the letter of the law be entitled to and shall in no case exceed the amount of the original principal together with simple interest at five per cent per annum or twice the amount of the original principal, whichever is less.

(2) If every creditor agrees to take in full settlement of his claim the amount fixed under paragraph (1), the Special Loans Officer shall by an order in Form IV inform the applicant and the creditor

(a) that, subject to the results of the enquiry under rule VII proving satisfactory and subject also to the furnishing by the applicant of adequate security, a loan equivalent to the sum total of the amounts fixed as payable to each creditor, rounded off, if necessary, to the next higher multiple of ten rupees, will be sanctioned: and

(b) that the loan, when sanctioned shall be disbursed direct to the creditors concerned in accordance with the amounts fixed under paragraph (1) as payable to them respectively and the excess, if any, sanctioned for rounding off shall be disbursed to the applicant.

(3) Before issuing such order, the Special Loans Officer shall obtain a signed statement in Form III, from each of the creditors to the effect that he will take payment of the amount fixed under paragraph (1) in respect of his claim, on the date, and at the place, fixed by the disbursing officer and that if he delays taking such payment he will not claim interest for the period of such delay.

(4) If any creditor does not agree to accept the amount fixed under paragraph (1), the Special Loans Officer shall reject the application.

FORM I.

Notice to applicant.

To son of

residing at village taluk,

Your application, dated for a loan of Rs. has been received. An enquiry about the application and the amount of debt due by you will be held by me on at . Yo are hereby directed to appear before me on that date with all your creditor and the concerned documents including those substantiating your title to th properties proposed to be mortgaged to the Government.

If you fail to appear, your application is liable to be rejected.

(Signed)

Special Loans Officer.

FORM II.

Notice to Creditor.

Whereas son of residing at village, taluk, has applied for a loan of for the discharge of the debt due to you as shown in the margin as well as debts due to others and whereas I propose to hold an enquiry into the application and the debts of the applicant on at you are hereby directed to appear before me on that date with the documents in support of the debt due to you by the applicant.

Name of creditor.	Amount due to the creditor according to the applicant.
(1)	(2)
	Rs.

(Signed)

Special Loans Officer.

FORM III.

Statement of Creditor.

I son of residing at village taluk, have, at the enquiry held by the Special Loans Officer on into the loan application of son of residing at village taluk agree to accept a sum of Rs. from the Government in entire discharge of the debt due to me by the said by *promissory-note or mortgage deed* other document, dated in case the Special Loans Officer finally decides after detailed enquiry to sanction a loan to the applicant. I hereby bind myself to appear before the disbursing officer on the date fixed by him in the notice to be issued by him and receive payment of the abovesaid sum of Rs. I shall claim no interest for the period subsequent to the date fixed in the disbursing officer's notice and during which I delay making my appearance and receiving payment.

(Signed)

FORM IV.

Order of the Special Loans Officer.

Whereas at the enquiry held by me on on into the loan application of son of residing at village taluk the creditor (or creditors) of the applicant named in the margin has (or have) agreed to accept the sum (or sums) noted against him (or them) in entire discharge of the debt to him (or them) by the said

Name of creditor.	Date of pro-note, mortgage or other document.	Amount accepted (in figures and words).
		RS.

the said and the said creditor (or creditors) are hereby informed that, subject to the results of the detailed local enquiry proving satisfactory and to the furnishing by the applicant of adequate security a loan of Rs. will be sanctioned to the said . Such loan will be disbursed to the creditor (or creditors) direct by the undersigned according to the amount or amounts noted against him (or them) in the margin. The sum if any, in excess of the amount payable direct to the creditor (or creditors) will be disbursed to the applicant.

(Signed)

Special Loans Officer.

Camp————,

Dated————.

To

The applicant

The creditor (or each creditor)

The officer conducting the local enquiry with the application.

VII. *Local enquiry.*—(1) No loan shall be sanctioned without a local enquiry by the Special Loans Officer or by such other officer as the Board of Revenue may empower in this behalf. When it is proposed to grant a loan under rule VI, the Special Loans Officer or other officer holding the local enquiry shall cause a notice in Form B, hereto annexed, to be put up in the village chavadi or, if there is no village chavadi, in a conspicuous place in the village. The notice shall state that he intends to hold an enquiry into the application on a day mentioned in the notice and will be prepared to receive and consider objections to the grant of the loan. Copies of this notice shall be served on, or sent by post to, the applicant and all the creditors mentioned in the loan application. On the day mentioned in the notice, the Special Loans Officer, or other officer holding the enquiry, shall inspect the lands mentioned in the application and make summary enquiry in the village as to the correctness of the statements made by the applicant, calling, if necessary, for the relevant documents from the applicant and such of the creditors or other persons interested as may be present. The *bona fides* and the solvency of the applicant, the sufficiency of the security offered and his capacity to repay the loan, shall be carefully ascertained in the manner prescribed in rule XII of the Madras Land Improvement and Agriculturists' Loans (General) Rules, 1933. Very careful and exhaustive enquiry shall be made regarding the title of the applicant to the lands, offered by him as security. Similar enquiry shall be made in respect of the lands offered by sureties as collateral security. The Special Loans Officer, or other officer holding the enquiry, shall also require the village officers to furnish a statement in Form C, hereto annexed.

(2) On the completion of the enquiry, the officer holding it shall prepare a record of the enquiry in Form D, hereto annexed. If the enquiring officer is not the Special Loans Officer, he shall submit a report of the results of his enquiry in Form D together with the loan application and other connected documents and records to the Special Loans Officer.

VIII. *Security.*—(1) No loan shall be granted unless the value of the securit offered exceeds, by at least one and a half times, the amount of the loan, a finally ascertained under these rules.

(2) The arable land, of which the applicant is the owner or in which h has the occupancy right, or so much of it as will be sufficient under sub-rule (1) shall be the security for the loan.

(3) If the value of the applicant's interest in the land referred to in sul rule (2) is less than the value of the security required under sub-rule (1), colla teral security shall be required. Such collateral security shall consist of arabl land, belonging to other persons, who are willing to furnish such security.

(4) The Special Loans Officer shall obtain encumbrance certificates, for a period of not less than twelve years preceding the date of the application fo the loan, in respect of the lands offered as security by the applicant and hi sureties, if any.

IX. *Rate of interest.*—The rate of interest charged on loans under thes rules shall be notified by the Local Government from time to time in the For St. George and the District Gazettes. The applicants, whose applications ar pending disposal when the rate of interest is raised shall be given an opportunit of agreeing to the altered rate or of withdrawing their applications.

X. *Method and period or repayment.*—(1) Loans shall be repayable by equa annual instalments discharging both principal and interest in the manner lai down in rule VI of the Madras Land Improvement and Agriculturists' Loan (General) Rules, 1933. The date for the repayment of each annual instalmen shall be fixed in accordance with the provisions of the said rule. The firs instalment shall be payable not later than twelve months from the date of th disbursement of the loan or of the last portion of the loan:

Provided that where the interval between the disbursement of the loan o of the last portion thereof and the date fixed for the payment of the first instal ment is less than twelve months, the amount of the first instalment shall b the simple interest on the loan or the aggregate of the simple interest on eac portion of the loan, from the date of its actual disbursement to the date on whic the payment of such first instalment is due.

(2) The maximum number of annual instalments, in which the loan shal be repaid, shall be 25 and shall be fixed by the Special Loans Officer with du regard to the capacity of the borrower to repay the loan.

XI. *Grant of loans and rejection of loan applications.*—(1) If, on the com pletion of the local enquiry and of such further investigation as may be considere necessary, the Special Loans Officer is satisfied that the loan may be granted, h shall record a decision to that effect, which shall be appended to the record o the enquiry in Form D and shall take immediate steps for the issue of a order granting the loan, and directing to whom and in what amounts, it shoul be disbursed. The order granting the loan shall be in Form E hereto annexed

(2) If, as a result of the local enquiry or further investigation, the Specia Loans Officer is satisfied—

(*a*) that the application is not *bona fide*; or

(*b*) that the applicant is not solvent; or

(*c*) that the security offered by the applicant is not sufficient; or

(*d*) that the conditions laid down in these rules have not been complie with.

he shall reject the application and intimate such rejection to the applicant and his creditors in Form H hereto annexed.

XII. *Disbursement of loans.*—(1) Every loan sanctioned under these rules shal be disbursed by the Special Loans Officer.

(2) When the Special Loans Officer has recorded a decision that the loa may be granted, he shall issue a notice in Form F, hereto annexed, to the applicant to appear with his sureties, if any, to sign and receive the loan order and to execute a security bond in Form G hereto annexed. The sureties, if any, shall be required to execute a security bond in Form G-I hereto annexed.

d September 1936]

e Special Loans Officer shall also issue a notice in Form I, hereto annexed, the creditor or each creditor as the case may be, to appear in person or by ly authorized agent, on the date fixed for the appearance of the applicant d take payment of the amount payable in satisfaction of his claim.

(3) Every creditor or his authorized agent, who appears in compliance with notice under sub-rule (2) shall, before receiving payment, sign and hand over the Special Loans Officer a valid acquittance in Form J, hereto annexed, of claim against the applicant and, shall also if he has not already done so, rrender to the Special Loans Officer all documents relating to the claim so scharged.

XIII. *Application of general rules.*—The provisions contained in the Madras nd Improvement and Agriculturists' Loans (General) Rules, 1933, shall also ply to the loans granted under these rules in so far as they have not been ried by or are not inconsistent with the specific provisions contained in these les.

FORM A.

[See Rule V.]

Application for loan.

1. Name of the village of the applicant or applicants.
2. Name and father's name of the applicant or applicants and age—
   (i)
   (ii)
3. The relationship of the applicants to one another.
4. Residence and occupation of the applicant or applicants—
   (i)
   (ii)
5. Amount of loan required.
6. (*a*) Particulars of the land owned by the applicant or applicants—

Name of the village.	Government zamindari, jirayati or inam.	Description—wet or dry, etc.	Survey number.	Extent.	Assessment.	Number and name of the registered holder.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

		Rights of others in the property.		
Nature of title to the land.	Present market value of the land.	Name.	Nature and extent of right whether as co-sharer, mortgagee, etc.	Remarks, if any, of the enquiring officer.
(8)	(9)	(10)	(11)	(12)

NOTE.—Particulars of the mortgages, if any, to the Government should also be included this atement.

(*b*) Particulars of lands offered as security by the applicant and his sureties, f any—

Name of the village.	Government, zamindari, jirayati or inam.	Description—wet or dry, etc.	Survey number.	Extent.	Assessment.	Number and name of the registered holder.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

		Rights of others in the property.		
Nature of title to the land.	Present market value of the land.	Name.	Nature and extent of right whether as *co-sharer*, mortgagee, etc.	Remarks, if any, of the enquiring *officer*.
(8)	(9)	(10)	(11)	(12)

NOTE.—(1) Particulars of the nature and extent of encumbrances should be entered to columns (10) nd (11).

(2) Particulars of the mortgages, if any, to the Government should also be included in this tatement.

7. Total of the existing debts of the applicant—

Creditor's name.	Mortgage deed or promissory note (if mortgaged), particulars of lands (mortgaged).	Date.	Amount borrowed.	Rate of interest.	Amount due to creditors less repayments.	Purpose for which incurred.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

NOTE.—Particulars of the mortgages, if any, to the Government should also be included in this statement.

8. Do the other interested persons support the loan application? If so, secure their signatures here as a token of consent.

9. The lands to be mortgaged are not subject to any mortgage or encumbrance or sale, etc., other than the mortgage debts to be discharged by raising this loan and the mortgage to the Government, if any, as detailed in the statement under item 7. Further these lands have not been subject to any sale or auction either by Civil Court or by the Revenue Department. I declare that there are no encumbrances, debts, liabilities other than those mentioned against column (6) above.

10. I hereby solemnly declare that all the information given in this application is true. I bind myself on notice from you to appear with my creditors and surety if any and file all documents and vouchers and take the loan amount that may be sanctioned. If any delay be caused by my non-appearance in time, it will rest in your discretion to reject the application or cancel the loan order. I also bind myself not to contract any further debts secured or unsecured and also not to dispose of, alienate or encumber in any other way the properties mentioned in paragraph 5 above till final orders are passed on this application.

Signature of the applicant.

Date and address.

11. (To be signed by the sureties, if any.)

I, the surety for the above loan do hereby solemnly declare that what is stated in the above application regarding the nature and extent of the encumbrances on the lands offered as collateral security is true and that there are no other encumbrances on the lands.

Signature of the surety.

Date and address.

FORM B.

[See Rule VII.]

Notice of enquiry to be held in connexion with applications for loans.

Notice is hereby given that son of residing at village has applied for a loan of Rs. from the Government for the purpose of discharging the debts due by him to the following creditor or creditors:—

Name of creditor.

Father's name.

Residing at

The following lands have been offered as security for the loan:—

Taluk.	Village.	Nature of land.		Assessment
		Survey number.	Extent.	

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The undersigned will hold a local enquiry in the village in connexion with the application on and will be prepared to receive and consider objections to the grant of the loan which should be made either in person or in writing on that date.

Date *Designation.*

FORM C.

[See Rule VII.]

Statement to be obtained from Village Officers.

1 Name of the applicant and of his father.

2 Are the particulars given in columns 2 to 7 of item 6 (*a*) and (*b*) in the application correct? Where there is variation give the correct figure (verify each item and certify to that effect).

3 Are the lands in the possession and enjoyment of the applicant? Does he enjoy them with full rights of disposition by sale, gift, or otherwise?

4 Are there co-owners (such as brothers or collaterals) who enjoy the land in common with the applicant and, if so, what are their names and relationship to the applicant and their interest in the lands? Do they object to the grant of the loan?

5 If the applicant is a Hindu widow, who are her reversioners?

6 (*a*) Are the lands of the applicant encumbered or attached by or subject to a decree of a civil court? If so, what are the encumbrances—mortgages including mortgages, if any, to the Government, maintenance charges, etc.

(*b*) Give similar particulars in respect of the lands offered as security by surety if any.

7 What is the present estimated value, based on the market value of similar lands in the neighbourhood of—

(*a*) (i) the lands owned by the applicant;

(ii) the lands proposed to be mortgaged;

(*b*) the properties of the surety, if any, proposed to be mortgaged?

Give the prices for which adjacent lands were sold during the last three years, quoting their survey numbers, extent and assessment.

8 What is the arrear of land revenue, if any, due on the lands mortgaged?

9 If the applicant has taken loans from the Government perviously, was he regular and prompt in their repayment? Are any such loans still outstanding? If so, give particulars of such loans.

10 State what you know about the assets and liabilities of the applicant, and whether you consider that he is capable of repaying the loan.

Village Headman and Karnam.

[3rd September 1936

FORM D.

[See Rules VII and XI (1).]

Record of the local enquiry.

(Application under the Agriculturists' Loans Act, 1884, as amended by Madras Act XVI of 1935.)

1 Serial number of application.

2 (i) Name and village of applicant.

(ii) Amount of loan applied for.

3 Have the particulars regarding survey number, description, etc., given in columns 1 to 7 of the loan application in respect of the following items been verified and are they correct?

(i) Lands owned by the applicant.

(ii) The lands proposed to be mortgaged.

4 (i) Is the applicant the sole owner of the lands, or does he own them in common with any others? And, if the latter, is he the managing member of the family of which the others are members? If not, has their consent to the loan application been taken in writing?

(ii) If the applicant is a tenant, does he possess any, and if so, what transferable interest in the lands, and has notice under rule XIV of the Madras Land Improvement and Agriculturists' Loans (General) Rules, 1933, been served on the landholder; if so, on what date, and has he objected to the grant of the loan?

(iii) If the application has been made on behalf of a minor, is the application signed by his legally constituted guardian? Give particulars as to the extent and nature of the minor's interest in the land.

(iv) If the applicant is a Hindu widow, do her reversionary heirs consent to the loan application and have their signature been taken in token of their consent?

5 Are any loans obtained by him previously from the Government still outstanding? If so, give particulars of such loans.

6 Is he in arrears to the Government for land revenue or for any instalment of a loan previously obtained or in arrears of rent to the landlord or in arrears of wages?

7 What is the present estimated value (based on the market value of similar lands in the neighbourhood) of—

(a) (i) the lands owned by the applicant.

(ii) the lands proposed to be mortgaged.

(b) the properties of the surety, if any, proposed to be mortgaged.

8 Are there any pre-existing encumbrances on the lands proposed to be mortgaged by the applicant, and the surety, if any including mortgages, if any, to the Government? What are the names of the mortgagees and the amount of their claims? (Enclose the encumbrance certificate obtained from the Registration Department.) What is the present estimated value of the applicant's or the surety's interests in the lands proposed to be mortgaged?

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9 What are your remarks on the liabilities of the applicant and his repaying capacity? Is he capable of repaying the loan?
10 Objection of their parties, if any, to the proposed loan.
11 * Recommendation of the officer conducting the local enquiry.

Signature and designation.

12 *Decision of the Special Loans Officer*—
(To be filled in by the Special Loans Officer in his own hand.)
(1) Total amount of loan sanctioned.
(2) Purpose. Names of the creditors. amount awarded.
(3) The number of annual instalments in which the loan should be repaid and reasons for fixing that number.
(4) Amount of annual instalment—

		RS.
Principal	... ...	
Interest	... ...	
	Total ...	

(5) Due date of payment—
Kist commencing with fasli.

Full signature of the Special Loans Officer.

FORM E.

[See Rule XI (1).]

der granting a loan under the Agriculturists' Loans Act, 1884, *as amended by Madras Act XVI of* 1935.

No. of

1. The sum of Rs. *is granted to* caste calling son of residing at (with the consent of the record of ch is hereto annexed) *and the duly constituted guardian of son of residing at a minor of the of* rs as a loan under the Agriculturists' Loans Act, 1884, as amended by Madras XVI of 1935, for the discharge of the $\frac{\text{debt}}{\text{debts}}$ due to † ject to the following conditions:—

2. The conditions referred to are as follows:—

(a) (i) That on the execution of the necessary security bonds by the aforesaid and his sureties, if any, the amount of the loan ll be disbursed to the aforesaid creditor as follows:—

Name of creditor.	Amount to be paid.
(1)	(2)
	RS.

* To be filled in only when the enquiring officer is not the Special Loans Officer.

† Here enter the name or names of the creditors and the amount.

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(ii) If it shall be proved to the satisfaction of the Special Loans Offi that the lands offered as security for the loan have been subsequently mortga for other loans without his previous permission the whole unpaid balance of loan or such portion of it as the Special Loans Officer may determine w interest thereon calculated as prescribed in rule XXIV of the Madras La Improvement and Agriculturists' Loans (General) Rules, 1933, and costs, if a shall be deemed to become due at once.

(*b*) (i) That the loan with the interest thereon at per cent shall repaid by equal annual instalments of Rs. each falling due with kist commencing with fasli . If the period intervening betw *the* disbursement of the loan or of the last portion thereof and the date fi for the repayment of the first instalment is less than 12 months, the first inst ment to be paid shall represent only the simple interest on the loan or aggregate of the simple interest on each portion of the loan from the date of actual disbursement to the date on which payment of such first instalment due;

(ii) such annual payment shall be made to the village officers or at Treasury of

(iii) if default be made in the repayment of the loan with interest provided for in clause 2 (*b*) hereof and the same is not paid before the cl *of the revenue year in which payment falls* due, then interest shall be char on the instalment or the balance of instalment so remaining unpaid at 1 a per ten rupees per mensem in the manner prescribed in rule XXIII of Madras Land Improvement and Agriculturists' Loans (General) Rules, 1933;

(iv) if default in the payment of annual instalment on account of loan occurs and recovery cannot otherwise be made, the entire unpaid bala of the loan or such portion of it as the Special Loans Officer may determ shall be deemed to become due at once and the whole of the land specified condition (*c*) or such portion of it as the Special Loans Officer may deem ne sary shall be sold for the recovery of the loan with interest thereon calcula as prescribed in rule XXIV of the Madras Land Improvement and Agri turists' Loans (General) Rules, 1933, and the expenses of sale, if any.

(*c*) * That for the repayment of the amount due or becoming due hereun the lands specified below are hypothecated as security to the Government.

Special Loans Officer.

I have understood and agree to the aforesaid terms and conditions

Signature of borrower.

Note.—The words in italics in paragraph 1 of this form are specially intended for the loans grante minors and may be struck out in other cases.

Recoveries.

Date of payment.	Amount paid	Signature (with date) and designation of the officer receiving the payment.
(1)	(2)	(3)
	RS.	

* All lands hypothecated whether by the applicant himself or by a surety or sureties should specified in clause (c) of the order granting the loan and such property should be described as nearl may be in the manner prescribed in section 21 of the Indian Registration Act, 1908.

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FORM F.

[See Rule XII (2).]

Notice to applicant.

Application No. of on the file of the Special Loans
fficer of
To son of residing at
hamlet of *village.*

You are hereby required to appear in person with your sureties, if any, before
on at to sign
nd receive the loan order and to execute the necessary documents furnishing
ecurity.

If you fail to appear, your application is liable to be rejected.

Camp

Date *Special Loans Officer.*

FORM G.

[See Rule XII (2).]

Security bond to be executed by a borrower or borrowers.

THIS instrument made the day of between
ereinafter called 'the mortgagor') of the one part and the Right Honourable
e Secretary of State for India in Council (hereinafter called 'the mortgagee')
f the other part.

*Whereas the property more particularly described in the schedule hereto
elongs to a minor of the age of years (hereinafter called 'The minor')
nd whereas* the mortgagor *herein is the duly constituted guardian of the said
inor and whereas the mortgagor as such guardian has applied for and* has
eceived from the acting for and on behalf of the mortgagee an
rder under the Agriculturists' Loans Act, 1884, as amended by Madras Act XVI
f 1935, and dated the day of in virtue of which the
ortgagor *as such guardian* is entitled to receive the aggregate sum of
upees as a loan from the mortgagee for the purpose of

AND WHEREAS security for the punctual repayment of the same, according
o the terms of the said order, is demanded by or on behalf of the mortgagee
nd in order to furnish such security the mortgagor has agreed to sign these
resents AND WHEREAS *the mortgagor being satisfied that a mortgage of the
iece or parcel of land intended to be hereby granted, conveyed and assigned
or the purpose of securing the said loan is for the benefit of and advantageous
o the minor and his estate.*

NOW THESE PRESENTS WITNESS that in consideration of the said loan and in
ursuance of the said agreement the mortgagor *on behalf of the said minor and
n exercise of the powers for this purpose given to or vested in him as such
uardian as aforesaid and of all and every other power enabling him in this
ehalf* doth hereby transfer to the mortgagee, his successors and assigns, the
ands described in the schedule hereunder written with the appurtenances
hereto subject to redemption as hereinafter mentioned.

AND it is hereby agreed that if the mortgagor, his successors and assigns *or
he said minor shall duly comply with the terms on which the said loan has been*
ranted and shall duly repay the amount of the said loan together with any
nterest which may have become payable thereon or on any part thereof and all
osts if any, incurred by the mortgagee, his successors or assigns in making
he said loan or otherwise in connexion therewith, the mortgagee, his successors
r assigns shall thereupon retransfer the said lands to the mortgagor, his legal
epresentatives or assigns *or the said minor* or as he or they shall direct.

PROVIDED ALWAYS and it is hereby agreed that in case the mortgagor, successors or assigns *or the said minor* shall fail to comply with terms on which the said loan has been granted or shall not duly repay the amo of the said loan or any part thereof or any interest thereon or on any p thereof or any such costs as aforesaid, then and in any such case it shall lawful for the mortgagee, his successors and assigns or the for the time being of to sell the said lands or any p thereof and out of the proceeds of such sale to make good to the mortgagee, successors, or assigns, the amount which, in consequence of any such defa shall be payable by the mortgagor, his successors, or assigns *or the said* under the terms of the said order.

Provided also that the rights and remedies contained herein shall not in a way prejudice, affect or limit the mortgagee's rights under the A

In witness whereof the mortgagor has hereunto set his hand the day a year first above written.

The schedule above referred to.

Registration district.	Registration sub-district.	Village.	Survey number.	Wet or dry.	Extent.	Assessment.	Trees wells etc.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
					ACS.	RS.	

(Signed)

Signature of borrower.

Witness—

(Signed) (1) , son of , village of

(Signed) (2) , son of , village of

Signed by the abovenamed borrower and witnesses in the presence of the } (Signed)

Special Loans Officer.

NOTE.—The words in italics in this form are specially intended for loans granted to minors and may be struck out in other cases.

FORM G-1.

[See Rule XII (2).]

Security Bond to be executed by a surety for a borrower.

This instrument made the day of 193 between of (hereinafter called "the mortgagor") of the one part and the Right Honourable the Secretary of State for India in Council (hereinafter called "the mortgagee") of the other part

Whereas has/have received from the of acting for and on behalf of the mortgagee an order under the Agriculturists' Loans Act, 1884, as amended by Madras Act XVI of 1935, and dated the day of 193 in virtue of which the said is/are entitled to receive the aggregate sum of rupees as a loan from the mortgagee for the purpose of

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And whereas security for the punctual repayment of the same, according to the terms of the said order, is demanded by or on behalf of the mortgagee, and in order to furnish such security the mortgagor has agreed to sign these presents.

Now these presents witness that, in consideration of the said loan and in pursuance of the said agreement, the mortgagor doth hereby transfer to the mortgagee, his successors and assigns the lands, described in the schedule hereunder written with the appurtenances thereto, subject to redemption as hereinafter mentioned, and it is hereby agreed that, if the said his/their legal representatives and assigns shall duly comply with the terms on which the said loan has been granted and the said or his/their legal representatives or assigns or the mortgagor or his legal representatives shall duly repay the amount of the said loan together with any interest, which may have become payable thereon or on any part thereof and all costs, if any, incurred by the mortgagee, his successors or assigns in making the said loan or otherwise in connexion therewith, the mortgagee, his successors, or assigns shall thereupon retransfer the said lands to the mortgagor, his legal representatives, or assigns or as he or they shall direct.

Provided always and it is hereby agreed that in case the said his/their legal representatives or assigns shall fail to comply with the terms, on which the said loan has been granted, or in case the said his/their legal representatives or assigns or the mortgagor or his legal representatives shall not duly repay the amount of the said loan or any part thereof or any interest thereon or on any part thereof or any such costs as provided for in the said order, then and in any such case it shall be lawful for the mortgagee, his successors and assigns or the Collector for the time being of to sell the said lands or any part thereof and out of the proceeds of such sale to make good to the mortgagee, his successors or assigns the amount which in consequence of any such default shall be payable by the said his/their legal representatives or assigns

Provided also and it is hereby agreed that although as between the said and the mortgagor the mortgagor is surety only for the said yet as between the mortgagor and the mortgagee, the mortgagor is to be considered as a principal debtor for the principal moneys, interest and costs intended to be hereby secured so that the mortgagor or his legal representatives shall not be released or exonerated by time being given to the said or his/their legal representatives or by any other dealing act matter or thing whatsoever whereby the mortgagor or his legal representatives as surety or sureties only for the said and his/their legal representatives would be so released or exonerated.

In witness whereof the mortgagor has hereunto set his hand the day and year first above written.

The schedule above referred to.

Registration district.	Registration sub-district.	Village.	Survey number.	Wet or dry.	Extent.	Assessment.	Trees, wells, etc.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
					ACS.	RS.	

(Signed) ,

Signature of surety.

Witness—

(Signed) (1) , son of , village of

(,,) (2) , son of , village of

Signed by the abovenamed surety and witnesses in the presence of the } (Signed)

[3rd September 1

FORM H.

[See Rule XI (2).]

Notice intimating the rejection of application.

Application No. of on the file of the Spe Loans Officer of (Name) of village is hereby informed that his application for a loan Rs. under the Agriculturists' Loans Act, 1884, as amended Madras Act XVI of 1935, has been rejected for (state here briefly the grou of rejection).

Station
Date

Special Loans Officer.

To the applicant

Copy to his creditor (or each of his creditors).

FORM I.

[See Rule XII (2).]

Notice to creditor (or creditors).

Application of on the file of the Special Loans Offic of

To , son of , residing at hamlet of village you are hereby require to appear in person or by duly authorized agent before me on and receive payment of the amount due to you from the said

If you fail to appear on the date, you will get no interest for the perio of your delay.

Camp
Date

Special Loans Officer.

FORM J.

[See Rule XII (3).]

Receipt for the payment of loan.

Treasury district month of 193 .

Head of service chargeable. (1)	Number of voucher. (2)
	Received this day of 193 the sum of Rs. being the amount due to me (name) of in full settlement of the amount due to me under the $\frac{\text{Pro-note}}{\text{mortgage deed}}$ dated from* the borrower in loan order No. dated of 193 under the Agriculturists' Loans Act, 1884, as amended by Madras Act XVI of 1935. The said $\frac{\text{Pro-note}}{\text{mortgage deed}}$ is herewith attached with the discharge of the debt duly certified thereon.

Claimant's signature.

(Stamp, if required)

* Here enter the name of the borrower.

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ANNEXURE II.

EXECUTIVE INSTRUCTIONS.

Grant of loans for the relief of rural indebtedness.

1. *Local enquiry.*—Rule VII provides for a local enquiry to be held by the Special Loans Officer, or such other officer as the Board of Revenue may empower in this behalf. In any area, in which an officer, other than the Revenue Divisional Officer having jurisdiction, has been appointed as Special Loans Officer, such officer shall conduct all local enquiries himself. He may call upon members of the local revenue staff to assist him, and it shall be the duty of the latter to afford him all facilities and to render him all assistance, whenever so required.

2. *Encumbrance certificate.*—The Special Loans Officer shall address the Sub-Registrar concerned to grant the necessary encumbrance certificates required by rule VIII (4).

3. *Value of the security and scrutiny of title.*—The value of land offered as security should be estimated with reference to the market value of similar lands in the neighbourhood. Overvaluation should be guarded against and the Special Loans Officer should personally satisfy himself about the valuation of the properties offered as security.

The title of the applicant and of his sureties, if any, to the lands proposed to be mortgaged, should be carefully examined at the local enquiry. The instructions in Chapter 3 of Part III of the Madras Loans (Takkavi) Manual shall apply to the case of loans granted for the relief of indebtedness, except in regard to personal security or sureties, which will not be accepted. Instances of protected interests and the precautions that should be taken where they exist are given in the said chapter. Such instructions should be carefully followed. The following points should also be borne in mind, when scrutinizing the title to lands:—

(1) If the applicant is a member of a joint Hindu family, the shares of all the members should be included in the mortgage and all should join in the execution of the security bond. An application from such a member should therefore bear the signatures of all the other members.

(2) Where the application is from a divided member of a Hindu family, but a partition deed has not been executed, or if executed, has not been registered, statements from all the other divided members should be obtained to the effect that there was a division, as alleged by the applicant, and that the lands proposed to be mortgaged fell to his share.

(3) Where the applicant is a Hindu woman, who has succeeded to her father's immovable property or to the properties of other male or female relatives, her title to such properties should be very carefully investigated.

(4) Applications for loans from guardians of minors should be carefully scrutinized to see whether the debts for the discharge of which the loan is applied for were incurred for "legal necessity."

4. *Amount to be paid to creditors.*—The note under rule VI requires that the amount to be paid to the creditor or creditors shall be fixed by the Special Loans Officer. In fixing the amount payable to each creditor, the Special Loans Officer will have the assistance of one or preferably two persons appointed for this purpose by the Collector. Collectors should exercise great care in selecting the persons to be appointed to assist the Special Loans Officer; one of them shall, if possible, be a representative of the local land mortgage bank, if one exists. The enquiry shall be held by the Special Loans Officer, and the person or persons appointed by the Collector sitting jointly for the purpose, and the decision of the Special Loans Officer as to the amount which should in equity be accepted by each creditor shall be arrived at with their assistance. Every endeavour should be made to secure a substantial reduction in the amounts payable to the creditors. The amount finally fixed should not exceed either double the principal or the principal with simple interest at the rate of 5 per cent per annum whichever is less, any sums already received by the creditor or creditors being deducted therefrom.

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5. *Loan orders and disbursement of loans.*—(1) Four copies of the loan order should be prepared, and the signatures of the applicant should be taken thereon, and they should be attested by the Special Loans Officer. One copy of the order will be given to the applicant, the second copy will be retained for file by the Special Loans Officer, the third copy will be sent to the Tahsildar or Deputy Tahsildar, and the fourth copy, along with the security bond, will be sent to the Registration department, with a letter in Form 17 in Part IV of the Madras Loans Takkavi Manual, suitably modified. The Tahsildar or Deputy Tahsildar will have the loan order, received by him, copied in the taluk register of loan orders, and intimate the serial number of the loan according to the taluk register of loan orders, to the Special Loans Officer, the applicant and the Registration department.

(2) All loans should be disbursed by the Special Loans Officer himself. The rules provide for the issue of a notice in Form I calling upon the creditors to appear and receive payment on the date fixed for the appearance of the applicant (debtor), for the purpose of signing in the loan order and executing the security bond. The amounts due to the creditors, and the amount, if any, due to the applicant should as far as possible be disbursed on the same date. If any of the creditors fail to appear on that date, a fresh notice in Form I should be issued and the applicant should be informed of the date fixed in that notice for the further disbursement, in order that he may be present at the time of disbursement, if he so desires.

6. *Application of the instructions in the Madras Loans (Takkavi) Manual.*—The instructions issued under the rules in section 1 of Part II of the Manual shall apply to the loans granted under the Madras Agriculturists' Loans (Relief of Indebtedness) Rules, 1935, in so far as they are not inconsistent with the specific provisions contained in the rules relating to such loans and these instructions. These loans should be specially marked as 'Loans for the relief of indebtedness' and entered in a special section of the loans registers.

APPENDIX IV.

[Vide item VII (2) at page 798 supra.]

HOME DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 1057 at the meeting of the Legislative Council held on 27th March 1936, the following information is placed on the table of the House:—

(1) Twenty-one motor drivers were prosecuted in the Tinnevelly district for the non-possession of driving licences from January 1935 to March 1936.

(2) None of the drivers had already sent his licence for renewal to the concerned authority.

H. M. HOOD,
Secretary to Government.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Friday, the 4th September 1936.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. Ramachandra Reddi) in the Chair.

PRESENT :

Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Charles.
Bracken, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Geoffrey.
Brackenbury, C.S.I., I.C.S., The Hon. Mr. C. F.
Raja of Bobbili, K.C.I.E., The Hon. the.
Rajan, The Hon. Mr. P. T.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani Sahib Bahadur, S. M. K.
Dalavoi, Mr. R.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Halasyam Ayyar, Mr. N.
Hodgson, Mr. G. H.
Hood, C.I.E., I.C.S., Mr. H. M.
Indrayya, Mr. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Muniswami Pillai, Rao Sahib V. I.
Muthu Chettiyar Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nanjappa Bahadur, Rao Bahadur Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Diwan Bahadur C
Nayagam, Mr. C. D.
Palat, Mr. R. M.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Premayya, Mr. G. R.
Rajagopala Pillai, Rao Sahib P. V.
Ramachandra Padayachi, Mr. P. K.
Ramamurti, Rao Sahib Pandit Ganala.
Ramaswami Ayyar, Mr. T. S.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Rukmani Lakshmipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sahajanandam, Swami A. S.
Scott Brown, I.C.S., Mr. W.
Shaik Mohamad Laljan Sahib Bahadur.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Smith, Mr. J. M.
Soundarapandian, Mr. W. P. A.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Diwan Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Vasudeva Pillai, Mr. V. G.
Venugopal Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Education

Second language of the candidates selected for admission into the L.T. class of the Lady Willingdon Training College, Madras, for the year 1936–37.

* 365 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the number of students selected for admission to the L.T. cla of the Lady Willingdon Training College, Madras, for the year 193(1937;

(*b*) the number of Hindus and Christians that have been selected; and

(*c*) the number of Tamil, Telugu, Kanarese and Malayala students so selected with the said languages as their second languag for their B.A. course?

A.—(*a*) Forty-two.
(*b*) Hindus 24; Christians 17; Muhammadan 1; } 42.
(*c*) Tamil 10;
Telugu 3;
Kanarese 1;
Malayalam 8.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know, Sir, whether i view of the fact that there seems to be a dearth of Kanarese teache among ladies and consequently Tamilian and Malayalee teachers ar dumped into South Kanara, the Hon. the Minister will consider th advisability of seeing that more Kanarese students are admitted int the L.T. course of the Lady Willingdon Training College? "

The Hon. Mr. P. T. RAJAN:—" I do not know about dumping, bu if more Kanarese lady students had applied, I am quite sure the applications for admission would have been considered favou ably."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know, Sir, whether ou of the nine applicants, only one has been selected and how many mor applications were expected? "

The Hon. Mr. P. T. RAJAN:—" Does my hon. Friend want us t take more unqualified persons into the college? "

Mr. U. C. SUBRAHMANYA BHATT:—" May I know, Sir, how th other eight were unqualified? "

The Hon. Mr. P. T. RAJAN:—" Presumably they were not qualifie and if he wants more information, I must ask for notice."

Mr. P. V. Krishnayya Choudari:—" In view of the fact that only three Telugu candidates have been admitted, may I know, Sir, whether Government will make arrangements to see that the applications of Telugu lady candidates for admission into the college are not rejected? "

The Hon. Mr. P. T. Rajan:—" My reply to my hon. Friend from Kanara applies equally to my hon. Friend from Guntur."

Mr. K. Koti Reddi:—" May I know, Sir, whether provision cannot be made in the Lady Willingdon Training College for Women for more than 42 candidates especially when there are a large number of applicants who are seeking admission to the L.T. course? "

The Hon. Mr. P. T. Rajan:—" Probably we have neither the staff nor the accommodation to accommodate more than 42."

Mr. V. P. Narayanan Nambiyar:—" Based on the number of applicants, is there any glaring disparity in the admissions made? "

The Hon. Mr. P. T. Rajan:—" I am afraid I cannot answer my Friend offhand."

Number of applicants from South Kanara for admission into the L.T. class of the Lady Willingdon Training College, Madras, for the year 1936–37.

* 366 *Q.*—Mr. U. C. Subrahmanya Bhatt: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the total number of applicants from South Kanara district for admission to the L.T. class in the Lady Willingdon Training College for the year 1936–37 and the total number admitted; and

(*b*) how many Christian candidates applied for admission to the said college from South Kanara for the said period and how many were admitted?

A.—(*a*) & (*b*) The particulars required by the hon. Member are given below:—

Total number of applicants	9
Number of Christian applicants	6
Total number admitted	3
Number of Christian candidates admitted ...	2

Medical Administration

List of medical officers in the City of Madras with a continuous stay of ten years and over.

* 367 *Q.*—Mr. V. T. Arasu: Will the Hon. the Minister for Education and Public Health be pleased to state—

(*a*) the names of the medical officers in the (i) civil assistant surgeons' rank, (ii) civil surgeons' rank and (iii) I.M.S. rank, who have been serving in the City of Madras for a continuous period of ten years and more; and

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(b) the special reasons, if any, as to why these officers have been kept in the City of Madras for such a long time and not subjected to periodical transfers as is the case with the officers in the other departments of Government?

A.—(a) A list [a] is placed on the table of the House;

(b) These officers have been kept in the City of Madras in the exigencies of Service and to the best advantage of the department.

Working of the Government Royapetta Hospital by honorary medical officers.

* 368 Q.—Mr. V. T. Arasu: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) the number of paid and honorary medical officers in the Government Royapetta Hospital (1) in the year 1930 and (2) in the year 1936 (current year); and

(b) whether the scheme of running Government hospitals with honorary officers has been found to be a success in the Royapetta hospital?

A.—(a) The information [b] is furnished in the appended statement.

(b) The Surgeon-General has been requested to submit a report in the matter.

Publication of an advertisement regarding the Government Barnard Institute of Radiology.

* 369 Q.—Mr. V. T. Arasu: Will the Hon. the Minister for Education and Public Health be pleased to state whether any advertisement was directed by Government to be published in the *Madras Mail* regarding the work in, and the achievements of, the Government Barnard Institute of Radiology?

A.—No. In April 1936, the Government informed the Surgeon-General that they had no objection to the publication of a notice and photographs about the Barnard Institute of Radiology, Madras, by him in the *Madras Mail*, the *Hindu* and the *Justice*.

Number of depressed class Christians admitted into the L.M.P. course in 1936.

* 370 Q.—Mr. M. Devadasan: Will the Hon. the Minister for Education and Public Health be pleased to state—

(a) what was the total number of applicants for admission into the L.M.P. course in the year 1936;

[a] Printed as Appendix I on pages 861–862 infra.
[b] Printed as Appendix II on pages 862–863 infra.

(b) how many of them were admitted; and

(c) how many of them belonged to the depressed class of Christians?

A.—(a) to (c) The information is furnished below:—

	Stanley Medical School.		Lady Willingdon Medical School for Women, Madras.	
	Madras Presidency.	Other than Madras Presidency.	Madras Presidency.	Other than Madras Presidency.
Total number of applicants for admission to the L.M.P. Course, 1936.	202	20	44	11
Number admitted	62	1	17	2
Number belonging to the depressed class of Christians.	1	..	5	..

Mr. K. KOTI REDDI:—"It is stated in the answer that the number belonging to the depressed class Christians is one. May I know, Sir, whether it refers to the number of applicants or to the number admitted?"

The Hon. Mr. P. T. RAJAN:—"From the question, it is not certain whether the number of applicants are wanted or the number of admissions are wanted. However, I may inform the hon. Member that one depressed class Christian applied and has been admitted and as for lady students, only five applied for admission. None of them was qualified and so none was admitted."

Agriculture

Publication of the Report of the Government Entomologist and the Government Mycologist deputed to investigate the paddy pest in Tanjore.

*371 Q.—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that at the instance of the Tanjore District Delta Mirasdars' and Landowners' Association, the Government were pleased to depute the Government Entomologist and the Mycologist to investigate the causes of the paddy pest and fungus disease;

(b) whether they have submitted their report;

(c) if the answer to clause (b) is in the affirmative, why has not the report been made available to the Association which was responsible for the enquiry;

(d) whether the Government will now be pleased to lay a copy of the report on the table of this House; and

(e) if not, why not?

A.—(a) & (b) Yes.

(c) The Association never asked for it.

(d) A copy[a] of the report is appended.

(e) Does not arise.

[a] Printed as Appendix III on pages 863–864 infra.

Mr. T. S. Ramaswami Ayyar:—" May I know, Sir, what th Government have done to combat this paddy ' blast '? "

The Hon. Mr. P. T. Rajan:—" I want notice, Sir."

Mr. T. S. Ramaswami Ayyar:—" May I know, Sir, if it is no necessary that relief also should be given by Government because it i no consolation to those who are related to a person to know what h died of? It is more the cure that is necessary than the notificatio of the cause of the trouble to the agriculturists."

The Hon. Mr. P. T. Rajan:—" If the hon. Member wants cure i the shape of rupees, annas and pies, that question ought to b addressed to my Hon. Colleague, the Finance Member."

Mr. T. S. Ramaswami Ayyar:—" It is not a question of rupees annas and pies, but it is a question of advice to the agriculturists t combat this pest? "

The Hon. Mr. P. T. Rajan:—" This was brought to the notice o the department only this year and I believe this disease occurre in the Tanjore district only this year. I am sure the departmen will take necessary steps to combat this disease."

Mr. K. A. Nachiyappa Gounder:—" May I know, Sir, whethe this kind of disease is prevailing in other parts of the Presidency also? "

The Hon. Mr. P. T. Rajan:—" I should not think so, Sir."

Measures for the control of the pest infesting the pepper vines in Malabar.

* 372 *Q*.—Mr. M. S. Sreshta: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that pepper vines in Malabar have been suffering from a pest during the last two or three years; and

(*b*) if so, what the extent of the loss suffered is, what villages have been affected, whether any investigation was made by the department concerned, and whether any remedy has been discovered?

A.—(*a*) In the Wynaad and a part of Kottayam taluk of the Malabar district pepper vines have been attacked by a fungus disease known as " Wilt." There is also another disease in pepper called " Pollu " which appears throughout the pepper area in Malabar in certain years depending on seasonal factors. As for " Pollu " spraying with Bordeaux mixture was found to be an effective remedy.

(*b*) The disease of " Wilt " was noted in Kolayo, Manantoddy, Kalpatta, Nedumbavu, Kaniampatta, Sultan's Battery and other villages. About 5 to 10 per cent of the vines in the gardens inspected were diseased. The matter has been investigated. Remedial measures have been taken. The result of the measures taken is awaited.

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Economic Condition

Provision of funds for the District Economic Councils.

* 373 *Q.*—Mr. M. DEVADASAN: Will the Hon. the Minister for ublic Works be pleased to state—

(*a*) whether the District Economic Councils sought to be constituted have been provided with funds; and

(*b*) if not, why not?

A.—The attention of the hon. Member is invited to paragraph 3 and 5 of G.O. No. 1113, Development, dated the 9th July 1936 (placed at the disposal of the Press). It is expected that local help would be available and, in suitable cases, the departments of Government in the district which are concerned with any particular work of rural uplift suggested by the councils will be able to meet the expenditure required to implement any specific recommendations of the councils from their budget allotment, subject of course, to the usual financial rules.

Mr. A. B. SHETTY:—" May I know, Sir, whether any local help has been secured in any of the districts? "

The Hon. Mr. P. T. RAJAN:—" It is too soon to say because the councils are being gradually formed only now."

Veterinary

Measures for improving the quality of milk of the Ongole breed of cattle.

* 374 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Public Works be pleased to state whether the Government have taken any steps to improve the quality of milk of Ongole breed of cattle and, if so, what steps they have taken in the matter?

A.—The quality of milk is fairly constant in any particular breed and does not vary as much as the yield. Food has some effect on the quality of milk. Propaganda for the proper feeding of animals is carried on by Demonstrators among ryots.

Ministers

Tours of the Hon. the Ministers for the period April-July 1936.

* 375 *Q.*—Mr. V. T. ARASU: Will the Hon. the Minister for Local Self-Government be pleased to lay on the table of the House a statement in detail of the tours undertaken by the Hon. Ministers during the months of April, May, June and July 1936 and also state—

(*a*) the purpose for which each of such tours was made; and

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(b) the travelling and other allowances drawn by them in respec of each one of these tours?

A.—A statement [a] is appended.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—*A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNI(PALITIES ACT, 1920, FOR CERTAIN PURPOSES (BILL No. 13 OF 193*

The Hon. the RAJA OF BOBBILI:—" Sir, I beg to introduce the B further to amend the Madras District Municipalities Act, 1920, certain purposes (Bill No. 13 of 1936), and move that the Bill be ta into consideration at once.

" Sir, under the existing Madras District Municipalities (Madras Act V of 1920), according to section 131 (4), it is laid down the council shall from time to time make by-laws for the levy (water-tax after deducting a certain quantity of free supply. In the of municipalities where generally there will not be more than one or taps in each house, it has been found expensive and inconvenient to h a uniform system of metering. On this account, the Government h been recently sanctioning the requests of certain municipalities levying water-tax at a particular rate per tap and this system has b working satisfactorily in a number of municipalities. Recently question has been raised whether the system of taxing on what is ca the tap-rate system, is consistent with the provisions of the Act, beca in the case of taxation by the tap-rate system, no provision can be m for the initial free supply. On the other hand, opinions were also h that free supply of water would apply only to public taps and connexion is given for domestic use for supply in a house for the (venience of any individual tax-payer, then it would be open to municipal authorities to levy a tax for that convenience. Anyh after taking legal opinion, Government have decided to bring forw this amending Bill to enable municipal councils to frame by-laws fr time to time on the tap-rate system by fixing a certain tax for each t I commend this motion for the acceptance of the House."

Mr. BASHEER AHMED SAYEED:—" Mr. President, Sir, I move motion that stands in my name, namely—

'*that the Bill be referred to a Select Committee.*'

*" Sir, it has become usual that all Bills should be passed with reference to Select Committee, but notwithstanding that practice still persist in moving this motion with a view to serve some pul interest. I do not know whether the Hon. Minister has consulted the municipalities concerned in this matter—at any rate he has said so. But, Sir, the Bill involves a principle, namely, whet water should be charged on the tap-rate system or on the basis

[a] Printed as Appendix IV on page 864 *infra.*
[b] Published in the *Fort St. George Gazette*, dated 26th May 1936.

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meters fixed for houses. So far as the City of Madras is concerned, it will not be news to the Hon. the Chief Minister or to any other nembers who are acquainted with the working of the City Municipal Act that the Government have been insisting upon every house being netered and water consumption being paid for on the reading of the neters.

"The Corporation of Madras has framed certain by-laws with a 11-15 a.m.
view to restrict the water-supply by laying down a certain minimum and maximum number of taps that will be allowed to each house which is based on the assessment that is collected from the premises. It has been agitating the minds of the Council of the Corporation as to whether here is any real purpose served by fixing the minimum and maximum number of taps for each house. The Hon. the Minister might remember hat during the discussions of the Select Committee on the City Municipal Bill it was pointed out that the fixing of minimum and maximum number of taps would not serve the purpose of restricting the actual consumption of water. Notwithstanding the fact that there is restriction, a large quantity of water may be consumed through one tap so ong as the occupants of the house do not feel any responsibility in the natter. So that, the restriction of the number of taps for each house need not necessarily have any bearing on the amount of water consumed. It is quite possible and it has been demonstrated beyond dispute that n an area like Georgetown where there are houses with single taps, vater is being consumed at the rate of 50, 60 or even 100 gallons per head. Restriction of the number of taps has had no effect in an area ike that. It is a moot question whether there will be any purpose erved in introducing the system contemplated in this Bill. On the other hand the safer and the sounder method will be to charge for the consumption of any excess of water supplied according to the meter ystem. The tap-rate system does not show the excess that has been upplied to the house over and above the free allowance; whereas according to the meter system you can find it out and charge them for he excess of water consumed. The Hon. the Minister will remember hat there was a long discussion in the Select Committee on the City Municipal Bill on the question as to whether they should charge according to the tap-rate system or the meter system. I would say that this natter requires some consideration at the hands of a Select Committee to ind out whether the purpose of the amending Act will be served by ntroducing a uniform principle of tap-rate system. No doubt some municipalities might have introduced the tap-rate system. But it is for he Government and the Select Committee to consider whether the taprate system would really bring about economy of water-supply and whether it is not going to affect the health of the people of the locality. I do not think that it will be in the interests of the municipalities lthough they might have adopted it. The Government ought to have xamined as to which is the proper and the more economical method. It is quite possible, the Hon. the Minister must remember, that the bject of the Bill will be defeated if every house-owner contents himself

with one tap while he is making whatever use of the water f tap he likes. The Hon. the Minister may contend that this B gives option to the municipalities. But before you give t option, you have certainly to examine whether what has been I to be in conformity with the provisions of this Act is really interests of the municipalities as it has been assumed to be. Government had examined the question and come to some conclusion, it is open to the Hon. the Minister to say so. We like to discuss all these matters in the Select Committee. It some of the municipalities have already taken steps to recover according to this system. But nothing will be lost by referri Bill to the Select Committee. On the other hand the Select Co will bring to bear upon the clauses of the Bill the experience th have and consider various other aspects of the matter which co have struck the Government and it might be that the Gove will stand to benefit in the actual administration of this t system. It is with a view to help the Government to come to safe and sound conclusion that I make this motion. I move, Si the Bill be referred to a Select Committee."

* Mr. K. A. NACHIYAPPA GOUNDER:—" Mr. President, Sir, to second the motion so ably moved by my friend Mr. Basheer Sayeed. I have given a similar motion and my object is apart fro the mover has expressed, to see whether it will not be possible t a free supply to certain categories of houses. By this I should misunderstood that I am against the tap-rate system. If this is not to be adopted, the ordinary course would be to resort to c sory metering which again is not at all desirable. We see eve regard to the City Municipal Amending Bill such a provisio brought in but it was deleted when the report of the Select Com came up before the House. The point I emphasise is that it be found possible to make a provision to allow free supply of w houses occupied by really poor people and adjust the income by a slightly higher rate for bigger houses. I feel, Sir, that in or examine that question it is necessary that the Bill should go the Select Committee. There it can be dealt with in a thorough n and the report may come before the House embodying the view have been expressed. So, Sir, I have much pleasure to secor motion."

* The Hon. the RAJA OF BOBBILI:—" I am grateful to my Friend, Mr. Basheer Ahmed Sayeed, for having given us the ben his views on the subject; but I have really come to the conclusio no case has been made out for adopting the procedure suggest him. He has taken considerable pains to place before the Hou discussions on the subject of metering in connexion with the Municipal Act, and he urged it as a further ground for the Bill taken before a Select Committee. If anything, the discussions o recent Bill have only proved that at least for some time to com expense and the unreliability of meters would make a metering s

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unsuitable for this country. My hon. Friend has stated that it was a question of principle that was involved in this measure. I must confess that I am not able to see any principle in this Bill. We are not introducing any novel provisions. All that the Bill seeks to do is to remove any legal doubts that may exist regarding the practice which has been prevailing in many municipalities of having a tap-rate system, and charging on the basis of the number of taps. At the same time, I may state that this is not a compulsory provision nor are we taking away any existing provisions for metering connexions. This is only an alternative and is not an experiment which has to be tried. This has been tried in many municipalities. I have not the figures but I think I am right in saying that this system is more in use in municipalities than metering. For these reasons I do not see any reason for referring this small measure to a Select Committee which would involve not only delay but also a waste of public funds. I must therefore strongly oppose the motion."

The motion for referring the Bill to a Select Committee was put and lost.

The motion that the Bill be taken into consideration was then put and carried.

Clauses 1, 2 and 3 were put and carried.

Clause 4.

New section 132-A.

Mr. BASHEER AHMED SAYEED:—" Mr. President, I move that in sub-section 2 (*a*) the following amendment be made:—

' *Between the words " and use," and " lay down " in line 2, insert the words " prescribe the number and class of buildings to be allowed free supply* ".'.

With the amendment sub-section 2 (*a*) will read as follows:—

' In cases of supply for domestic consumption and use, prescribe the class of buildings to be allowed free supply, lay down the maximum free allowance to be made and the rates of charge to be levied in respect of water supplied in excess of such allowance; and '

The object of this amendment is to enable municipalities and district boards if they have any such water-supply to prescribe the number, classes and types of buildings to which water could be supplied free of charge. A similar amendment, I think, will have to be introduced in clause (*b*) also. As I said the main purpose is that certain types of buildings should not be asked to pay for water supplied to them. I have particularly in view temples, churches and mosques. These are places of worship and buildings of public resort if I may so term them. For instance, the mosque has a reservoir to which is connected a tap and that tap supplies water to the reservoir. The water in the tank is used for ablution and washing before the worshippers enter the mosque.

" After all the quantity in the tank remains constant except that 11-3
a small quantity is taken out of it and then spent or used for washing. a.m.
So that the actual consumption from day to day of water in the mosque

is very negligible. But anyhow the quantity which remains in the reservoir for a long time for months is, as I said, except with a negligible variation, constant. Such water is being charged for by the municipalities concerned. As we are aware, Sir, except for a few instances where these churches, temples or mosques are rich enough to pay for water, a very large majority of mosques of which I have personal knowledge—I think similar is the case with temples and churches—cannot afford to pay the high water-rate that is charged for the supply of water. There has been agitation, and I hope the Hon. Minister is aware of it, on the part of worshippers in respect of certain of the municipalities—I think the case of Madura is in point—against the imposition of water-rate for churches, temples and mosques. I think that agitation has good reasons behind it. Trustees of temples and mosques who have no sources of income can ill afford to pay water charges for water consumed by the public. It is the duty of the Government or the municipality to provide for public convenience a little water that might be used by worshippers and members of the public over whom the trustees as such cannot have any control. In so far as they are visitors to the temples the Government enable the public to discharge their religious rites in the manner laid down in their respective religions. In the first instance there is a case for not classifying the supply to such institutions as non-domestic supply. If the Government had prescribed in the Act that the water-supply for the purpose of ablutions should be exempted then there should be no complaint and there would be no necessity for this amendment. But as it is notwithstanding the fact that there has been an agitation from the public that the supply of water for such purposes should be exempted and should be classified as one given for domestic consumption the Government have not come to the rescue of the people concerned? It is therefore necessary that at least at this juncture Government should see it fit to give exemption to the mosques, temples and churches from being charged for the water-supply to them for purposes of ablutions. Further if that outright exemption could not be given and if that grant of exemption involves the amending of further sections of the Act, as I quite visualise, I want the Government through this amendment to give the opportunity to the municipalities to prescribe the number and class of buildings to which they could give free supply. This is what I am aiming at through this amendment. If it is found that this amendment does not fit in—I am anticipating the Minister—I have no objection to making it suitable. But all that I am seeking to impress upon this House is that these mosques, temples and churches do require outright exemption from any charge being levied against them, on two grounds: (1) this is water used by the ordinary citizens of the locality for whose benefit the Government and the municipality ought to do something and (2) the least they can do is to give them free supply of water for religious ablutions. If outright free supply is not possible I then plead that the municipalities can be given option about the number of buildings to which it is open to them to give free supply. I am not demanding a

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very great privilege. After all I might assure the Hon. Minister and the chairmen of these municipalities that the loss of income that these municipalities will have to suffer by the grant of the exemption will be microscopic and it will be not more than a flee bite to the revenues of the municipalities. After all the number of churches, temples and mosques in any particular municipality may not be very many. In fact they may be counted on one's fingers. I may point out that in the City of Madras hon. Members representing the City might know that we have exempted every temple, mosque and church from paying any water-tax and have classified it as domestic consumption. I therefore wish that the municipalities also might be allowed that option and move this amendment."

Mr. ABDUL HAMEED KHAN:—" I second this motion and in doing so I wish to point out that of late some of these municipalities are put to the necessity of charging for water-supply to places of religious worship. All along we have not been charging. Evidently a very resourceful brain has found out that it is absolutely necessary that the municipalities should charge for water-supply to places of religious worship. It has been a great hardship for the trustees of the various places of religious worship. I have myself seen in various places in the Ceded districts and the Circars where the commissioners of municipalities have begun now to charge for water-supply to places of worship. As a matter of fact if I were asked to say whether any charge is to be levied or not, I would certainly say that water should not be charged. What the municipalities should do and the Government should legislate for is to prevent wastage of water and not prevent supply of water. Naturally resources for municipalities have to be found and this water-supply is a source of income to the municipalities. The practice in the City, as pointed out by the hon. Mover, is to classify the supply to places of worship as domestic supply and to exempt such cases. This ought naturally to be extended to the municipalities. Evidently such an amendment is absolutely necessary. I understand that there is no similar provision for supply of water to the churches. They do not wash themselves when they come to the church. Such being the case, there is one place of worship eliminated in this requirement. I know in the case of temples, so far as my knowledge goes in the city, they require water-supply. They do conform to that principle of washing their feet before entering the temple. Generally the financial position of these institutions is not satisfactory and so they are not able to pay for the water-supply. As Mr. Basheer Ahmed said, whether it is a right place or not to make the amendment, I feel fully confident that the Raja Sahib will agree that such a grievance should be removed and places of religious worship should be exempted. I second the motion."

Mr. G. RAMESWARA RAO:—" Mr. President, I associate myself with the principle enunciated in the amendment. I support it from what I understand of the position at Anantapur. There within the precincts of the district court there are two taps and the municipality taxes water.

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It was said that there was some leakage and a consequent wastage of water. All the same the district court was asked to pay for those two taps. The net result was that the two taps have been closed so that the public have no drinking water. This sort of difficulty could be obviated. *As it is, the municipalities were not charging for such* places. Now they say, ' It is a matter for you to make a representation to the District Judge.' If measures are taken to impose tax apart from the general public as it happened in the particular case, I think it would be better to pass such an amendment. Therefore I heartily support the amendment moved by my hon. Friend."

* The Hon. the RAJA OF BOBBILI :—" The amendment before the House seeks to exempt certain class of places in respect of water-supply. I think, Sir, there should be a prescribed number. I understand the hon. Member in his speech also suggested that similar amendments may be made to clause 4. Of course he has given two reasons in support of it. As far as I can understand one is that mosques and other religious institutions which have no funds to pay tax should be exempted. Secondly they are open to the public over whom the authorities have no control.

15 1. " It is very difficult to state that on those grounds alone this proposal should be accepted. In my opinion, the stronger ground will be that religious institutions should be given preferential treatment. If you urge the ground that they are unable to pay, it will be said that some of them can certainly afford to pay. It is not a ground on which this Council should legislate. The amendment as worded is very wide, because there is scope for exempting any number of buildings and any class of buildings. From the speech of my hon. Friend Mr. Rameswara Rao, who has supported this amendment, it is quite clear to what a large extent municipal finances will be affected. My hon. Friend referred to two taps in the District Court of Anantapur which he wanted to be exempted. Then, it comes to this, that all public buildings, all schools, all Government buildings, hostels and choultries should be exempted. The extension of this principle would mean that all such buildings, *not merely places of religious worship*, should be exempted.

" Before proceeding further, I would like hon. Members to realize that as far as possible it is necessary to make municipal water-supply schemes self-supporting. Because, practically in every case these schemes have been undertaken *partly from grants and partly from loans* from the provincial Government. It will be necessary to have some restrictions, before granting these exemptions, to see that the original calculations on which these schemes were based and on which the loans were given are adhered to as far as possible, so that the municipality should be able to pay the annual payments in discharge of the loan and interest. As far as I am concerned, I have no objection to the principle that all municipal councils may be empowered to give preferential treatment to religious institutions. They should be given the power

to fix some maximum for free supply of water, instead of saying that the institutions should be allowed free supply whether there is wastage or whatever the quantity required for the institution may be. There must be a reasonable maximum for the free supply allowed. If the amendment is suitably amended to restrict the scope to religious institutions alone and also to bring in the principle that we now seek to carry out so as to permit the municipal council to fix a maximum for the free supply of water, it will be acceptable. In other words, the municipal council should have right to levy water-tax for any excess when the maximum free supply is exhausted. I am not quite sure how the present amendment of Mr. Basheer Ahmed Sayeed will fit in in this particular clause. The matter has to be examined."

Mr. T. S. RAMASWAMI AYYAR :—" Sir, with your leave, I would like to move an amendment to the amendment proposed by Mr. Basheer Ahmed—

'for *the word* " *buildings* " *in his amendment*, substitute *the words* " *places of public worship* ".'

" Then, as amended by me, it would read, ' to prescribe the class and number of places of public worship to be allowed free supply.'

" I do not know whether that would meet the objection raised by the Hon. the Chief Minister. By making this amendment, the objection raised by the Hon. the Chief Minister that other classes of buildings might come in will be met. Now we are restricting the free supply to places of worship, and even with regard to places of worship, an option is given to the municipal council to prescribe the class and number of places of public worship. In the case of some of these places of public worship, the trustees may be able to pay the water-tax. Or, the amount of water used by some institutions may be very large; in such a case the municipality may not give a free supply at all. According to my amendment, the option is given to the municipality to prescribe the number and class of places of public worship, to which a free supply could be given."

Mr. V. P. NARAYANAN NAMBIYAR :—" I second the amendment."

* The Hon. the RAJA OF BOBBILI :—" I have already stated, when I spoke on the amendment of Mr. Basheer Ahmed Sayeed that the test should not be the ability to pay. Mr. T. S. Ramaswami Ayyar said that the municipality should be given the power to levy tax only in cases where the trustees are unable to pay. I think it will be rather a difficult matter to decide. It would not be proper legislation to leave it to the municipal council concerned to decide whether a particular institution can pay or cannot pay. Now that we are agreed that this should apply only to places of religious worship, there appears to be a serious objection to arm the local body or the municipal council with power to discriminate between one institution and another. If we are going to amend the Act to give effect to our idea, this benefit must necessarily be given to all classes of religious institutions or places of public worship. All that the municipality is given discretion to decide

about is to fix a maximum in giving free supply to all religious institutions. I think in the public interest it is not desirable to give them any discretion in the matter to discriminate between one class or other among these places of public worship."

Mr. T. S. RAMASWAMI AYYAR :—" I am sorry my observations have been misunderstood by the Hon. the Chief Minister."

* The Hon. the RAJA OF BOBBILI :—" I was speaking of the effect of the wording of the amendment."

Mr. T. S. RAMASWAMI AYYAR :—" I am also sorry to say that the Hon. the Chief Minister said that the municipality should not be given discretion in a matter like this. When I said that discretion should be given to the municipality, I only meant that the municipality should be able to specify the class of place of public worship to which they would give this relief. I also specifically said that they would not be given any exemption where large quantities of water were used and that the municipality should give free supply only to places where a small quantity of water is used. It was that discretion I was thinking of and not the discretion to discriminate among the various religious institutions. If that discretion is given, I feel quite confident that no municipality would discriminate between one institution and another. I do not believe that such instances will ever occur. It is only in cases where the municipality feels that a free supply will entail a heavy loss of income, that it should have the discretion to say that in such cases it would not give a free supply at all. It is only that sort of restriction that I was thinking of and not the restriction which may be based on discriminating between one institution and another. I therefore feel there is rather no foundation for thinking that this discretion will be abused and that it should not find a place in the statute. After all, municipal councils are local autonomous bodies. Why should we feel suspicious about them at every stage? Why not give them a free hand in this matter? What is it after all? If they cannot manage this simple matter, why should we give them local self-government? If you think that they cannot be trusted with power with regard to the question of free water-supply, I do not think a local institution is worth having. It is not quite fair to local bodies to say that they should not be given even this discretion."

Mr. R. MADANAGOPAL NAYUDU :—" I am really surprised at the remarks made by my Friend, Mr. Ramaswami Ayyar. The Hon. the Chief Minister has made it quite clear that he does not want any distinction should be made between one institution and another. I think it is a very sound principle to follow. Then, he said that the real power which ought to be given to the municipal council is that of fixing the maximum of free supply. It is that discretion which is most vital According to the Hon. the Chief Minister's statement, that discretion is allowed to the municipality and the municipality is not likely to abuse it. But Mr. Ramaswami Ayyar's position is that if a large quantity of water is to be used, no free supply should be allowed

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and that the municipality should charge for such water. But the Chief Minister's suggestion goes further. He says that even if a large quantity of water is being used they ought to be given a free supply up to a certain maximum provided there is no wastage. That, to my mind, is much more favourable to the institutions which will use the water. That is the idea which the Hon. the Chief Minister wants the amendment to carry out."

Mr. ABDUL HAMEED KHAN:—" May I suggest an amendment, Sir? It is this:

'At the end of section 132-A (2) (*b*), the following words shall be added:—

" Provided that places of public worship be exempted from payment of water charges."

or

" Provided that no water charges shall be leviable in places of public worship " '."

The Hon. the RAJA OF BOBBILI:—" Subject to a maximum.

" It is not possible for me, at such short notice, to express my views on this amendment."

Mr. ABDUL HAMEED KHAN:—" I would suggest, with your permission, Sir, and the permission of the House, that this matter may be taken up after lunch."

The consideration of the matter was adjourned to the afternoon.

Clauses 5 and 6 were put and carried.

III.—A BILL FURTHER TO AMEND THE MADRAS VILLAGE COURTS ACT, 1888, FOR CERTAIN PURPOSES (BILL No. 20 OF 1936).

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, I beg to introduce the Bill [a] further to amend the Madras Village Courts Act, 1888, for certain purposes (Bill No. 20 of 1936) and move that the Bill be referred to a Select Committee consisting of the following members:—

(1) Mr. P. V. Krishnayya Choudari.
(2) Rao Bahadur Subadar-Major S. A. Nanjappa Bahadur.
(3) Mr. T. Narasa Reddi.
(4) Rao Sahib D. V. Narasimhaswami.
(5) ,, P. V. Rajagopala Pillai.
(6) Mr. M. Devadasan.
(7) ,, G. Ranganatha Mudaliyar.
(8) ,, K. P. Raman Menon.
(9) The Pattagar of Palayakottai.
(10) Rao Bahadur P. C. Muthu Chettiyar.
(11) Mr. P. Ratnavelu Thevar.
(12) ,, Ahmed Meeran Sahib.
(13) ,, H. M. Hood.
(14) The Hon. the Law Member (Mover).

[a] Published in the *Fort St. George Gazette*, dated 18th August 1936.

"Sir, the reasons for this amending Bill are set forth in the Statement of Objects and Reasons. It makes provision for the existence of a vice-president also for the village courts. The other amendments are intended to clear up certain defects and doubts, which have been made apparent by decisions of courts. I believe it is a non-controversial measure and the Act will be all the better for this amending Bill being accepted."

The motion was put and carried and the Bill referred to the Select Committee.

IV.—A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, FOR A CERTAIN PURPOSE (BILL No. 16 OF 1936).

* The Hon. the RAJA OF BOBBILI:—"Sir, I beg to introduce the Bill * further to amend the Madras District Municipalities Act, 1920, for a certain purpose (Bill No. 16 of 1936), and move that the Bill be taken into consideration at once.

"The object of this Bill is, in the case of the Madura Municipality, to raise the maximum limit of pay that is given to the Commissioner, which is Rs. 800 under the present Act, to Rs. 1,200. In view of the importance and size of the Madura Municipality, Government consider that it is necessary and desirable to have a commissioner with larger administrative experience. As the present maximum in the Act restricts the choice of Government considerably, it is proposed that in the case of this municipality alone the maximum may be Rs. 1,200."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I do not think we can support this Bill. Probably this is the last instalment of legislation by the Justice party to increase the salaries of the officials. To-day, in the Madras Presidency, Madura no doubt is the second important town so far as population goes. Next in importance will probably be Trichinopoly and I do not know how many municipalities will come in for similar treatment hereafter. I do not know how the area or the population of a municipality can be taken into account in fixing the salary of its officials. Either the commissioner must give his full time to the affairs of the municipality or not. The nature and quality of the work which any commissioner has to do in any municipality for the matter of that is the same. I suppose that these officials have to give their full time from 11 to 5 to the work. If that is so, where does the size and the population of the place come in for a large increase in salary? I wonder. Even if we take all that into account, I do not think that Rs. 800 per mensem is not an adequate remuneration for any municipal commissioner. The only argument for an increased salary would probably be—and this was not put forward by the Hon.

* Published in the *Fort St. George Gazette*, dated 11th August 1936.

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Minister—that in a bigger municipality there would be more temptation and a possibility for more corruption and that with a view to minimize that possibility a higher pay must be given. If that were the argument, the matter may be considered different and I do not think the Hon. Minister would put that forward, though I do not think that mere increase of salary will put down or even minimize corruption in any departments. I do not know when the Government will realize a sense of responsibility in regard to this matter. Sir, what is the standard of life of the average tax-payer in this country? You know that the majority of them do not get two full meals a day. When that is the case, when the comforts of the average ryot and the labourer are the lowest in the world, except probably China, how the Government can come to this Council occasionally with proposals for increased salaries in individual cases passes my comprehension. I believe, Sir, Rs. 800 will be an adequate salary for an officer to be in charge of the municipality of even Madura. I therefore oppose the Bill."

* Mr. K. A. NACHIYAPPA GOUNDER:—" Sir, I do not know what is exactly the motion which Mr. Koti Reddi has moved."

* The Hon. the PRESIDENT:—" Mr. Koti Reddi has not moved any motion whatsoever. He has simply opposed this Bill. The hon. Member may move his motion as usual."

* Mr. K. A. NACHIYAPPA GOUNDER:—" Sir, I move that the consideration of the Bill be adjourned *sine die*.

" My object in moving this motion is really to oppose the Bill. Sir, I do not know how the present maximum prescribed in the Act is insufficient. What happens now is that even though the Act has prescribed the maximum as Rs. 800, on account of a peculiar interpretation given to the concerned provision, in a number of municipalities the amount expended on behalf of the commissioner has gone above this maximum. The Act says that the commissioner shall be paid out of municipal funds such salary and allowances not exceeding Rs. 800 per mensem in the aggregate as may from time to time be fixed by the Local Government. Sir, what the Act says is ' Rs. 800 per mensem in the aggregate.' But in another place the same Act says that more expenses on behalf of the commissioner in the matter of leave and other allowances may be met. On account of this latter provision some of the municipalities have been obliged to incur an expenditure aggregating in all to more than Rs. 800. In some cases I think it goes even above Rs. 1,000 or Rs. 1,100, if the actual expenditure involved on behalf of the commissioner is taken into consideration. When that is so, we have to think deeply whether it is advisable to enhance maximum provided in the Act. After all what are the commissioners expected to do? They have only to carry into effect the resolutions passed by the municipality concerned. There is the chairman who will help him with proper guidance. Is it necessary, in these circumstances, that we should have a commissioner on such a high pay? The

powers of the commissioner in the matter of appointment have been restricted. He can only appoint persons on Rs. 50 and not more. For appointments carrying more than Rs. 50, the special committee alone has power. So, Sir, when the commissioner does nothing but carry out the day to day work of the municipality, I do not think that Rs. 800 is not sufficient, or that anything more than that is necessary. For the different departments of activity in a municipality there are responsible departmental heads. With regard to revision of taxes and other things, special officers are appointed and they do the work, and they are not higher in rank than deputy tahsildars and sometimes tahsildars. When we are prepared to entrust such responsible duties to such officers as deputy tahsildars and tahsildars, would it not be enough to have an officer of the grade of Deputy Collector for the post of commissioners? After all our municipalities cannot be said to be having plenty of money in their hands. Sir, a few days ago the Madura Municipality itself passed a resolution by an overwhelming majority that the commissioner's pay should not be increased. After all they are the persons who are to find funds and their views must be allowed to prevail in this matter which is one of incurring further expenditure. When we passed the Act we were satisfied that it is enough if a commissioner of the grade of a Deputy Collector is appointed on a maximum salary of Rs. 800 per mensem. There is no reason why we should revise our opinion now and try to raise the salary to Rs. 1,200.

5 "If the salary is to be fixed at Rs. 1,200, I think, if pensionary contribution, leave and other allowances are taken into consideration, then the total expenditure under this item may go up to Rs. 1,500. In that case it will be a huge sum. Taking the capacity of the municipality into consideration, we should not ask it to spend such a heavy sum on the commissioner's salary. Take, for instance, the work ordinarily turned out by a Deputy Collector. He is entrusted with a very responsible work, viz., the administration of the whole Revenue division. Not only the collection of land revenue, but various other functions including the magisterial functions are entrusted to them. They are to be depended upon for such important functions by the Government in their capacity as Revenue Divisional Officers. Then may I ask, Sir, whether it is not advisable and desirable to entrust the work of carrying on the day to day administration of the affairs of the municipality to such an officer? Taking all these points into consideration, I think there is no necessity for enhancing the salary of the Commissioner of the Madura Municipality. To-day it may be that this Bill is intended for Madura Municipality. To-morrow another amendment may be brought in for the sake of some other municipalities. The principle to be considered is whether it is necessary to increase the maximum of the salary when there is a cry for the reduction of salaries in higher ranks. If the maximum in the case of Madura Municipality is increased to-day by a special amendment, after some time another amendment may come in saying 'Add after the word

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"Madura" the words Trichinopoly, Coimbatore, Salem' and so on. I rememher in this connexion that the Salem Municipality has also passed a resolution some time ago stating that they are not able to bear the present rate of Rs. 800 and they must be provided with a commissioner on a lesser salary. I think that that is the attitude of the municipalities who have to find funds for their expenditure. If that is so, we will have to consider whether it is quite desirable that we should impose on these municipalities commissioners with such high salaries. Taking the financial position of municipalities and other important obligations they are to perform into consideration, I should think that the desirable course would have been to bring down the salaries of commissioners in very many municipalities where they are not able to bear the expenditure. So I do not find any necessity as to why this Bill should have been brought in. So, Sir, I move my motion which runs as follows:—

'*That the consideration of this Bill be adjourned* sine die.' "

The motion was duly seconded.

* Mr. P. V. Narayanan Nambiyar:—" I do not think that this Bill can be objected to on that ground. This is not a Bill that can be viewed from that standpoint. The Bill makes it abundantly clear that because of the size and importance of the Madura Municipality it is necessary to post as commissioner an officer of sufficient status and experience. It has been pointed out by my hon. Friend, Mr. K. Koti Reddi, that Madura is the second important city in the Madras Presidency. How can the pay of a commissioner of such a city be fixed on the same level with the pay of a commissioner of a third-rate municipality? My Friend, Mr. Nachiyappa Gounder said that the Municipal Council at Madura is against this enhanced pay. This Bill does not ask the municipality to straightaway appoint a commissioner on a salary of Rs. 1,200. All that it contemplates is that the limit ought to be fixed at Rs. 1,200. I do not think that any case has been made out either by my hon. Friend, Mr. Nachiyappa Gounder, or my Friend, Mr. Koti Reddi, in opposing this measure. I oppose the amendment and support the Bill."

Mr. T. S. Ramaswami Ayyar:—" I think there is a fallacy in what my hon. Friend from Malabar has said. He said that the municipality is given power to appoint a man on Rs. 1,200. But the point is that it is the Government that appoints the commissioner for that municipality. The municipality has no choice. Supposing the Government wants to appoint a man on Rs. 1,200 instead of on Rs. 800, the question is who is to pay the piper? The Government may appoint a man on Rs. 1,200 and say that if the Madura Municipality has such a man as commissioner it would be advantageous to them. But the municipality may say that they would be quite content with a commissioner

Mr. N. HALASYAM AYYAR:—"Sir, I rise to oppose this motion. Yesterday we had healthy signs of various speakers saying that they had sympathy for the poor. The Inams Bill was passed into law on the ground that the sufferings of the poor people should be alleviated. In conformity with the profuse sympathies that were poured out yesterday, if to-day they had made a motion for a radical reduction of the salaries of officials, we should have welcomed such a measure. Instead of that we are asked to support a motion for increasing the salary. There has been a consistent demand for a radical reduction of salaries. The chronic poverty and miserable condition of the tax-payer have been too well known and times without number have been reiterated here. No reasons have been advanced by the Hon. the Chief Minister for introducing this motion at the fag-end of this session. Absolutely no reason has been forthcoming excepting what is said with regard to the size of the municipality of Madura. When there is a universal cry for the reduction of salaries of all highly paid officials on the ground of chronic poverty of the country and also on the ground of the existence of the costliest administration in the poorest country in the world, this is really an extravagant demand and to thrust this Bill on this House at this session is not fair.

"With these words, I oppose the motion."

* The Hon. the RAJA OF BOBBILI:—"I have listened to the arguments advanced on the other side with great attention. Hon. Members seem to have lost sight of the fact that this amendment does not propose sraightaway that a commissioner on a salary of Rs. 1,200 should be appointed. Nor is this a case of raising the salaries, because one of the commissioners who will be appointed to Madura would be one already in Government service. All that it seeks to do is to enable the Government if necessary to appoint a man with greater standing and experience in the interests of that municipality. He will be drawing the salary to which he is eligible in Government service in addition to the usual allowance. The argument of my hon. Friend, Mr. Koti Reddi, is very novel. He says that there is no point in saying that the status or salaries of commissioners should depend upon the size or the population of a municipality, because in his opinion all the commissioners, whatever might be their pay, are full-time officers of Government. As I understand, in his opinion a clerk who draws Rs. 50 is a whole-time officer: another officer who draws Rs. 500 is also a full-time officer. According to him both should be paid the same scale of salary on the basis of hours of work. I am afraid I cannot subscribe to that principle. The point is that by passing this amendment it does not compel or is it the intention of the Government to straightaway appoint a man on Rs. 1,200, but it only gives a wider discretion to the Government to appoint commissioners to municipalities. Government consider that such a measure is essential in the interests of municipal administration in Madura."

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* Mr. K. A. NACHIYAPPA GOUNDER:—"I agree with the Hon. the Raja of Bobbili that there is no point in saying that officers should be paid according to the number of hours they work. In that I am not in agreement with my hon. Friend, Mr. Koti Reddi. What I am to point out here is that we have got responsible divisional officers whose maximum salary will be Rs. 800 and they will be quite enough to manage the affairs of municipalities including that of Madura. The Hon. the Minister said that the Government are not going to appoint a man immediately on a salary of Rs. 1,200, but it is evident, Sir, that with a view to appoint a man of their choice, who will carry a salary of Rs. 1,200 this amending Bill has been brought in. Even if his pay is not Rs. 1,200 now I think in course of time he will have to be paid the maximum of Rs. 1,200. As I have pointed out already, the expenditure on the salary will not stop with Rs. 1,200. Taking pensionary contribution, leave and all other allowances, the total expenditure on the commissioner will come to Rs. 1,500 or even more and it will be a great burden upon the municipality.

"For these reasons, Sir, I feel compelled to press my motion."

The motion that the consideration of the Bill be adojurned *sine die* was put and lost.

* The Hon. the PRESIDENT:—"The question is that Bill No. 16 of 1936 be taken into consideration at once."

The motion was put and carried.

Clauses 1 and 2 were put and carried.

The preamble was put and carried. 12–

* The Hon. the RAJA OF BOBBILI:—"I beg to move— p.m

'*that the Bill be passed into law.*'"

Mr. T. S. RAMASWAMI AYYAR:—"Sir, though it is the third reading of the Bill, I think it is but right that I should oppose the Bill being passed into law. Speaking subject to correction, I think the Hon. the Raja Sahib said that it was not necessary to appoint a Government official and that the Bill was intended to provide for the salary of a non-official also. So, Sir, I feel that a stronger case is made out for opposing this Bill. If the Madura Municipality does not want a high-paid officer like this and it is the municipality which is going to pay this officer, why impose this superman on that municipality? I am not able to see the reason, Sir."

* The Hon. the PRESIDENT:—"The Hon. the Raja of Bobbili."

* The Hon. the RAJA OF BOBBILI:—"I have nothing to add, Sir."

The motion was put and carried and the Bill was passed

,—A BILL FURTHER TO AMEND THE MADRAS CITY POLICE ACT, 1888, AND THE MADRAS CITY POLICE (AMENDMENT) ACT, 1907, FOR CERTAIN PURPOSES (BILL No. 8 OF 1936).

* The Hon. Mr. C. F. BRACKENBURY:—" Mr. President, Sir, I beg › present the report [a] of the Select Committee on the Bill further to nend the Madras City Police Act, 1888, and the Madras City Police ⅰmendment) Act, 1907, for certain purposes (Bill No. 8 of 1936). The ›lect Committee has made no alteration in the Bill as introduced. I ›g to move—

' *that the Bill [a] as approved by the Select Committee be taken into consideration.*' "

The motion was put and carried.

* The Hon. the PRESIDENT:—" At the outset I may say that Mr. ameswara Rao's amendments to clauses 2, 3 and 9 require previous nction and therefore they cannot be moved now."

Mr. G. RAMESWARA RAO:—" Sir, I do not question the ruling you ıve given just now, but with your permission I wish to say a few ›rds on this question. If the Government had notified their objection me, I would have tried to meet it and show to them how their jection is untenable or I would have approached the Government of dia for the necessary sanction. As it is, they have sent their objecın to the Hon. the President and you, Sir, have overruled my amend›nt. I am taken by surprise. I therefore request the Government put off the consideration of the Bill till I get the previous sanction ʳ my amendments. If the Government had informed me of their jection beforehand, as is usually done in the case of interpellations .ich are disallowed, I would have taken the necessary steps. I have w no other alternative but to request the Government to postpone › consideration of the Bill to a later date."

* The Hon. Mr. C. F. BRACKENBURY:—" Sir, we realized that the ıction of the Government of India would be necessary for this amend›nt only last week. It was impossible without postponing this legislan altogether to apprise the hon. Mover in order that he might remedy › defect. I am afraid I cannot consent to postponing the consideran of this measure which is already overdue."

Clause 1 was put and carried.

Clause 2.

* Mr. G. H. HODGSON:—" Mr. President, Sir, I beg to move the lowing amendment:—

' Add *at the end, the following words*:—

" *other than an authorized enclosure, room or place on or connected with a recognized race course, in respect of which a tax is paid under the Betting Tax Act,* **1936.**" '

[a] Printed as Appendix V on pages 865-871 infra.

4th September 1936] [Mr. G. H. Hodgson]

"The reason I am moving this amendment is to point out the effect which the extension of the definition of a common gaming house might have on recognized race-courses. A common gaming house may be entered into at any time by a police officer, the contents confiscated and the people running the gaming-house or assisting in conducting the gaming-house arrested and fined or put into prison. There is no race-course within the city limits at present. But there is a Bill before the House during this session to extend the powers of the District Police to some extent and there is also always the possibility of the city limits being extended to include Saidapet and Guindy. I believe the inclusion of Saidapet has been talked about more than once before. Such an extension either of the district police's powers or of the limits of the Madras City might result in our seeing on some Wednesday or Saturday afternoon the Hon. the Chief Minister and the Leader of the Opposition handcuffed to one or two Members of our group and led away into captivity. I am sure that is not a thing contemplated under this Bill and we believe it is clear that Government intend no such thing. But that is no answer to the point which I have made, namely, that the definition might include a recognized race-course and should therefore be amended. I therefore commend this amendment to the House."

Mr. V. P. NARAYANAN NAMBIYAR:—"Sir, I have great pleasure in seconding the amendment and in doing so I have nothing to add except to congratulate the hon. Mover on his admirable maiden speech."

*The Hon. Mr. C. F. BRACKENBURY:—"Sir, I should like to assure the hon. Mover of the amendment that the Government have no intention of risking the harrowing sight that he suggests might be the result of this definition. I should like him to refer in particular to the clause of the Bill which purports to add to section 3 of the Act as it stands the following words:—

'and includes any enclosure, room or place opened, kept or used or permitted to be opened, kept or used for the purpose of gaming on a horse race.'

"I stress the word 'gaming' because immediately after that definition in the Act as it stands there is the definition of gaming which expressly excludes from that definition wagering or betting on a horse race on the date on which such race is to be run and in a place or places within the race enclosure which the authority controlling such race has with the sanction of the Local Government set apart for the purpose. It is therefore clear that wagering or betting under these authorised conditions do not fall within the mischief of 'gaming' and any such authorized place cannot be termed a common gaming-house. I am in complete sympathy with the intention of the amendment moved but I maintain, Sir, that the Bill as drafted does provide full protection for legitimate betting. With these words, I would suggest that

Mr. G. H. HODGSON :—" In view of the assurance given by the Hon. Member I withdraw the amendment."

The amendment was, by leave, withdrawn.

Clauses 2 and 3 were put and carried.

Clause 4.

Mr. G. RAMESWARA RAO :—" Sir, I beg to move the following amendment :—

' Add *the following proviso at the end* :—

" *Provided that no persan shall be so appointed except with his consent as regards his willingness to serve and the honorarium or remuneration payable to him.*" '

" It may be said that Government must be in a position to requisition the services of able-bodied men in times of emergency. The proposition as it stands means that it is open to the Government to requisition the services of any man to do police duty but there are cases and cases. There is a good deal of room for misapprehension. There is room also for the abuse of the powers conferred upon the Government. Sir, if a person is so honourable as to say that he would serve in the police force without any remuneration and even to the detriment of his own private work, it is certainly a very laudable thing and he should be invested with police powers. But if on the other hand either on grounds of health or of other personal difficulties a man is unwilling to serve like that and if in spite of his unwillingness the Government wants to compel him at the point of the bayonet, I think, Sir, it would be interfering with the ordinary civil rights of individuals. It is just to avoid such abuses that I am moving this amendment. Perhaps the matter will be quite different if we had compulsory military education in our country as in some countries of Europe. But we have no such thing here. Military training is restricted to a few persons. They are picked and chosen carefully and the course is specially restricted. When such is the attitude of Government towards giving military training to the people, I say, Sir, no man should be compelled to serve in the police unless he is willing to serve. Otherwise a compulsion like that will be a violation of the civil rights of the citizens."

Mr. K. A. NACHIYAPPA GOUNDER :—" I second the amendment."

* The Hon. Mr. C. F. BRACKENBURY :—" Sir, I cannot help thinking that the hon. Member is exaggerating the difficulty. The Act as it stands says that in times of emergency the Commissioner may appoint any able-bodied male person to be a special constable. The person appointed may make any representation he likes and the appointing authority will undoubtedly take into consideration any valid excuse and excuse him.

" At the same time, Sir, the amendment seems to go outside the scope of the Bill. Section 19 provides a penalty for neglect or refusal to serve

amendment, being

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inconsistent with the provisions of the Act as it stands, is not within the purview of the Bill at all. I must therefore oppose it. But I would at the same time like to inform the hon. Member that as far as I know, within the period of about fifty years that this Act has been in force, no case has ever come to the notice of the Government. I am not aware of any hardship that has been caused to such members of the public as were enrolled in special emergencies as special constables. In these circumstances I hope the hon. Mover will not press his amendment."

Mr. G. RAMESWARA RAO :—" Sir, I am unable to follow the argument of the hon. Member, that because there is penalty for refusal, no provision can be made for recruitment as such. When once the man is recruited, penalty will be applied and not till then. The hon. Member says that no hardship has actually been caused till now. I may tell him that prevention is better than cure. They have been able to give effect to the provisions of the Bill till now; hereafter they may find it difficult to do so. There have been no lapses in the past and we cannot say that there will not be lapses in future. The present Government as constituted will go on till 31st March 1936. At a later stage the members of the Justice party or the Congress party which may come to power, to neither of which I have the honour to belong, may terrorise the other party. This amendment is intended to put a stop to such political tyranny that may come into existence at a later stage. We must have a safeguard that no man shall be enlisted as a police officer without his consent and approval. That is the fundamental principle on which I put it. If for the last fifty years no practical difficulty has arisen and no man has not, rightly or wrongly, refused to serve and no man has been penalised under the Act, I may say that the Government of the day was wise enough to enlist only willing persons. When they are invested with a power like this, it would be rather difficult to put a limit to it. It is certainly wise and advisable to prevent such calamitous tendency or incidents in the future; it is with that view that I suggest to the Hon. Member to reconsider the matter and see whether there is any possible harm to the Government in accepting this amendment. Public service would not suffer if the amendment is accepted. I am sure the administration will work better by enlisting people who are willing to serve rather than selecting the persons as they like. Therefore I am suggesting this amendment as a precautionary measure. I wish the Government to see eye to eye with me and to accept this amendment."

The amendment was put and lost.

Clauses 4 and 5 were put and carried.

Clause 6.

Mr. G. RAMESWARA RAO :—" Sir, I beg to move the following amendment :—

> '*In line 2 of sub-section (2) (b), for the words* ' *like rank,*' substitute *the words* ' *the same rank.*'

This is only a verbal amendment; the Hon. Member may accept it if he likes; otherwise I do not mind."

Mr. K. A. NACHIYAPPA GOUNDER:—" I second it."

* The Hon. Mr. C. F. BRACKENBURY:—" I think the Bill provides for exactly what we want. The words 'of like rank' are perfectly correct English. If we change the words as 'of the same rank' it might possibly imply that for all conceivable purposes, the special police officer will be identically of the same rank as the ordinary police officer. That might involve consequences for which we are not prepared. I think the words in the Bill express what we want."

The amendment was, by leave, withdrawn.

Clauses 6 and 7 were put and carried.

Clause 8.

* The Hon. Mr. C. F. BRACKENBURY:—" Sir, I beg to move—

'*that in clause* 8, *sub-clause* (i), *for the words " otherwise than on the near or left side of a street, road or thoroughfare," the words " otherwise than in accordance with the rules of the road notified from time to time by the Local Government " be substituted.*'

" The reason for which I move this amendment is this: The clause as it stands is not quite precise. It is a recognized rule of the road that when one vehicle overtakes another going in the same direction, it should pass it on the right. A vehicle might overtake another going in the same direction on the left side of the road and the owner might say that he was strictly following clause (v) of section 71. The rules of the road may be laid down in by-laws passed under section 78 of the Act. It will of course be seen that they are not inconsistent with the substantive provisions of the Act. The clause as amended will simply refer to the rules of the road notified from time to time by the Local Government and will remove any point of doubt."

The amendment was put and carried.

* The Hon. Mr. C. F. BRACKENBURY:—" Sir, I beg to move the following amendment that stands in my name:—

'Omit *the words " in any street, road, thoroughfare or place of public resort " at the end of sub-clause* (i).'

This is only a drafting amendment. These words as they occur in the sub-clause may be omitted as unnecessary in view of the opening words of section 71. The opening words of this section are these:—' Whoever in any public street, road, thoroughfare or place of public resort . . .' ... nnecessary to have them again here."

... amendment was put and carried.

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* Mr. G. H. HODGSON :—" Mr. President, Sir, I beg to move the following amendment :—

> '*In the new clause* (v) *after the word* " *drives* " *in the second line, the word* " *rides* " *shall be inserted; and after the word* " *vehicle* " *in the same line, the words* " *or cycle* " *shall be inserted.*'

The only reason I have for moving this amendment on behalf of my group is that we are in doubt as to whether cycles are included in the term vehicles. My group is of the opinion that it is very necessary that the police should have powers of control over bicycles on the roads; we believe also that that must be and is the intention of the Government. The Traffic Commissioner of Police in the Madras City has stated that they have no control over bicycles. In order to make it clear that bicycles also are included in the term ' vehicles ' I move this amendment."

Mr. V. P. NARAYANA NAMBIYAR :—" I second it."

* The Hon. Mr. C. F. BRACKENBURY :—" Sir, I am quite in sympathy with the intention of the hon. Mover of this amendment that we should be empowered under the Act as amended, to deal with cycles as well as other vehicles. In that connection I have already had occasion to consider whether the word ' vehicle ' included a cycle and concluded that it certainly does. The word ' vehicle ' is not used in any technical sense in the Act and will therefore have its dictionary meaning. Chamber's Dictionary defines ' vehicle ' as ' any kind of carriage or conveyance,' while according to the Shorter Oxford English Dictionary ' vehicle ' is ' a means of conveyance provided with wheels or runners and used for the carriage of persons or goods.' Both these are authoritative definitions. I can assure the hon. Member that the intention of the Government is that the term ' vehicle ' includes ' bicycles ' also. I think the amendment is unnecessary."

Mr. G. H. HODGSON :—" I beg leave to withdraw the amendment."

The amendment was, by leave, withdrawn.

Mr. G. RAMESWARA RAO :—" Sir, I beg to move my amendment—

> '*In line 3 from the bottom of sub-clause* (ii), *omit the word* " *such* " *before the word* " *building* ".'

I think that the word ' such ' is unnecessary there. It is not a material alteration at all; if the Government thinks that it is very necessary, it is alright."

Mr. K. A. NACHIYAPPA GOUNDER :—" I second it."

* The Hon. Mr. C. F. BRACKENBURY :—" I have already examined that point and find that the word ' such ' is necessary."

The amendment was, by leave, withdrawn.

Mr. G. RAMESWARA RAO :—" Sir, I beg to move the following amendment :—

> '*In section 71 of the Act, add the following at the end:*—
>
> " *The acts mentioned above are deemed to be offences under this Act* ".'

These words do not occur anywhere in the section. Therefore I want to add this amendment at the end of the section. The word 'offence' is used very often; what exactly an offence is, is not defined. I therefore feel the necessity for these words."

Mr. K. A. NACHIYAPPA GOUNDER :—" I second it."

* The Hon. Mr. C. F. BRACKENBURY :—" Sir, I will refer the hon. Member to the opening sentence of section 71 of the Act as it stands. It is:

> 'Whoever, in any public street, road, thoroughfare or place of public resort, commits any of the following offences . . .'

I do not think that this amendment is necessary."

Mr. G. RAMESWARA RAO :—" It will be better if we insert these words."

* The Hon. Mr. C. F. BRACKENBURY :—" I do not think."

The amendment was, by leave, withdrawn.

Clause 8 as amended was put and carried.

Clause 9.

Mr. G. RAMESWARA RAO :—" Sir, I beg to move the following amendment :—

> '*In section* 81 *of the Act*, omit *the last sentence*; *and* for *the words* " *and failed* " *in the last sentence*, substitute *the words* " *if such a prosecution has ended in failure* ".'

This was objected to on technical grounds. I do not press it, if it is not considered necessary."

The amendment was, by leave, withdrawn.

Clauses 9 and 10 were put and carried.

The preamble was put and carried.

* The Hon. Mr. C. F. BRACKENBURY :—" I move that the Bill be passed into law."

The motion was put and carried and the Bill was passed into law.

(After Lunch—3 p.m.)

VI.—A BILL FURTHER TO AMEND THE MADRAS DISTRICT POLICE ACT, 1859, FOR CERTAIN PURPOSES (BILL No. 9 OF 1936).

* The Hon. Mr. C. F. BRACKENBURY :—" Sir, I beg to present the report [a] of the Select Committee on the Bill further to amend the Madras District Police Act, 1859, for certain purposes (Bill No. 9 of 1936). The Select Committee has made no alteration in the Bill as originally introduced. I beg to move that the Bill [a] as approved by the Select Committee be taken into consideration."

The motion was put and carried.

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[a] Printed as Appendix V on pages 965-971 infra.

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* The Hon. the PRESIDENT:—" Mr. Rameswara Rao's amendments to clauses 5 and 12 require the previous sanction of the Governor-General; therefore they cannot be moved."

Mr. G. RAMESWARA RAO:—" With your permission, Sir, may I make a statement in this connexion? I have been speaking to the Hon. Member in charge of the Bill and I have placed before him my aspect of the matter. The chief point in my case is that there ought not to be a differential treatment as between subordinate officers and superior officers as regards the damages to which they may be liable on account of their negligence or breach of orders, by reason of which the State revenues may suffer. Now that you have ruled that the amendment cannot be moved, let me make this submission to the House and to the Government, that such sort of discrimination does not very much tend to the co-ordination of the services, and especially of the Police service, and that the hon. Member will kindly look into the matter and see that no action of a discriminatory kind is taken. I hope, Sir, that he will make a statement in this House to that effect, so that there may not be any sort of feeling among the officers concerned.

" My second point which also you have overruled on the ground of sanction, is this: I have explained the position to the hon. Member, and he made me understand, when I was speaking to him, that the matter was not brought to his notice either by the office or in the Select Committee. Sir, I regret it as much as he does; and now I appeal to him that the suggestion I have put forward may be reconsidered and the defect be remedied, so that the seeming difference may be rectified on the lines I have suggested. With these observations, Sir, I leave it to the hon. the Mover to make a statement of his own."

* The Hon. Mr. C. F. BRACKENBURY:—" Sir, I am very glad to have this opportunity of assuring the hon. Member and this House that no intention of discrimination would seem to underlie this clause. The conduct of the superior officers is not regulated by the Police Acts but by the Civil Service Rules, and there is no question but that if any loss is entailed by the action of a superior officer, it would be dealt with exactly as in the case of any member of the subordinate service. I think that is the assurance that the hon. Member apparently wanted me to give.

" In regard to the other point, Sir, it seems to be a small one after all. Although I admit there is a difference as between the provisions of the City Police Act and those of the District Police Act in regard to the period of limitation for civil action, there is no difference in regard to limitation for criminal prosecution—three months in each case. In the former case, a period of six months is permitted by the Madras City Police Act, while in the case of the other Act, it is shorter, i.e., three months. I scarcely think that the difference is so appreciably material as to justify the postponement of this piece of legislation. We could not accept the amendment suggested by my friend now, because it affects the period of limitation in regard to civil and criminal action, and it requires the previous sanction of the Governor-General under the

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Government of India Act. I question whether any real hardship is entailed by the fact that the period in the Act which is now under consideration is only three months. An additional argument for getting on with the present Bill is that the sister Bill—if I may so term it—has already been passed by this Council this morning in regard to the Madras City Police Act. I think, Sir, the matter is not so important that it need be pressed."

Clauses 1 to 5 were put and carried.

Clause 6.

Mr. G. RAMESWARA RAO:—" Sir, I feel that no useful purpose will be served by my moving my amendment in regard to this clause because this amendment is analogous to that in respect of the City Police Bill. Therefore I do not propose to move it."

Clause 6 was put and carried.

Clauses 7 to 14 were put and carried.

Preamble.

The preamble was put and carried.

The Hon. Mr. C. F. BRACKENBURY:—" Sir, I now beg to move that the Bill be passed into law."

The motion was put and carried and the Bill was passed into law.

VII.—*A BILL FURTHER TO AMEND THE MADRAS MOTOR VEHICLES TAXATION ACT, 1931, FOR CERTAIN PURPOSES (BILL No. 2 OF 1936).

The Hon. the RAJA OF BOBBILI:—" Sir, I beg to present the report [a] of the Select Committee on the Bill further to amend the Madras Motor Vehicles Taxation Act, 1931, for certain purposes (Bill No. 2 of 1936), and move that the Bill [a] as amended by the Select Committee be taken into consideration. The Select Committee has not made any material changes in the Bill; I do not therefore think there is anything for me to say at this stage."

The motion was put and carried.

Clauses 1 to 5 were put and carried.

Clause 6.

* The Hon. the RAJA OF BOBBILI:—" Mr. President, Sir, I beg t move that—

'*For clause 6 of the Bill, the following shall be substitutec namely:—*

" *After Schedule II to the said Act, the following schedul shall be added, namely:—*

[a] Printed as Appendix VI on pages 872-876 infra.

4th September 1936] [*The Raja of Bobbili*]

'SCHEDULE III.

[*See* section 5 (1) (*c*).]

Classes of vehicles	Maximum tax for vehicles fitted with pneumatic tyres.		Maximum tax for other vehicles.	
	For a period not exceeding seven days.	For a period exceeding seven days but not exceeding thirty days.	For a period not exceeding seven days.	For a period exceeding seven days but not exceeding thirty days.
(1)	(2)	(3)	(4)	(5)
	RS. A.	RS. A.	RS. A.	RS. A.
1 Motor cycles (including motor scooters and cycles with attachment for propelling the same by mechanical power) not exceeding 8 cwt. in weight, unladen—				
(*a*) Bicycles	1 4	3 12	1 12	5 0
(*b*) Bicycles if used for drawing a trailer or side-car	1 12	5 0	2 4	6 4
(*c*) Tricycles	1 12	5 0	2 4	6 4
2 Motor vehicles not exceeding 5 cwt. in weight, unladen, adapted and used for invalids	1 4	3 12	1 12	5 0
3 Motor vehicles used in the course of trade and industry for the transport or haulage of goods or materials including tricycles weighing more than 8 cwt., unladen—				
(*a*) Vehicles not exceeding 15 cwt. in weight, unladen	12 8	37 8	18 8	55 0
(*b*) Vehicles exceeding 15 cwt. but not exceeding 30 cwt. in weight, unladen	21 0	62 8	31 0	92 8
(*c*) Vehicles exceeding 30 cwt but not exceeding 50 cwt. in weight, unladen	33 8	100 0	50 0	150 0
(*d*) Vehicles exceeding 50 cwt. but not exceeding 70 cwt. in weight, unladen	37 8	112 8	56 0	167 8
(*e*) Vehicles exceeding 70 cwt. but not exceeding 100 cwt. in weight, unladen	42 0	125 0	62 8	187 8
(*f*) Vehicles exceeding 100 cwt. in weight unladen	46 0	137 8	71 0	212 8
(*g*) Additional tax payable in respect of such vehicles used for drawing trailers—				
(i) for each trailer not exceeding 1 ton in weight, unladen; and	10 0	30 0	18 12	50 0
(ii) for each trailer exceeding 1 ton in weight, unladen ..	21 0	62 8	31 0	92 8
Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.				
4 Motor vehicles plying for hire and used for the transport of passengers—				
(*a*) Vehicles licensed under the Madras Motor Vehicles Rules, 1923, to carry in all not more than four persons	6 12	20 0	10 0	30 0
(*b*) Vehicles licensed under the Madras Motor Vehicles Rules, 1923, to carry more than four persons—for every person which the vehicle is so licensed to carry	1 12	5 0	2 8	7 8

5

[The Raja of Bobbili] [4th September 1936

Classes of vehicles.	Maximum tax for vehicles fitted with pneumatic tyres.				Maximum tax for other vehicles.			
	For a period not exceeding seven days.		For a period exceeding seven days but not exceeding thirty days.		For a period not exceeding seven days.		For a period exceeding seven days but not exceeding thirty days.	
(1)	(2)		(3)		(4)		(5)	
	RS.	A.	RS.	A.	RS.	A.	RS	A.
5 Motor Vehicles other than those liable to tax under the foregoing provisions of this schedule—								
(a) Weighing not more than 15 cwt., unladen	3	0	8	12	4	4	12	8
(b) Weighing more than 15 cwt. but not more than 30 cwt., unladen ..	4	4	12	8	6	4	18	12
(c) Weighing more than 30 cwt. but not more than 45 cwt., unladen ..	5	8	16	4	8	8	25	0
(d) Weighing more than 45 cwt. but not more than 60 cwt., unladen.	6	12	20	0	10	0	30	0
(e) Weighing more than 60 cwt., unladen	8	8	25	0	12	8	37	8
(f) Additional tax payable in respect of such vehicles used for drawing trailers—								
(i) for each trailer not exceeding one ton in weight, unladen; and	1	12	5	0	2	8	7	8
(ii) for each trailer exceeding one ton in weight, unladen ..	3	8	10	0	5	0	15	0' " '
Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.								

"Sir, the object of this legislation, as hon. Members are aware, is to provide specifically for the issue of half-yearly and annual licences and secondly to take power to issue licences for short periods not exceeding one month, in respect of motor vehicles entering the Presidency. The Select Committee has also made provision for refund of tax for the unused period. The principle adopted in the Bill is, that the rate, say, for a monthly licence should be slightly more than one-third of the quarterly licence, as otherwise it was feared that if the rate were to be exactly one-third, it would induce many motorists who are permanent residents of this Presidency to apply for short-term licences, which would throw an unnecessary amount of work on the departments concerned. In preparing the statement, according to the new scales which were approved by the Select Committee, it was found that in some cases the rates were higher than necessary and it looked as if the benefits which this Bill proposed to confer on motorists visiting this Presidency, would be practically nullified if high rates were kept. This new schedule reduces the rates as originally embodied in the Bill. The rate for a month is 50 per cent of the quarterly rate and the rate of the tax for one week will be one-third of the tax for one month. Government consider that it is but reasonable to make these alterations. I, therefore, commend this amendment for the acceptance of the House."

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* Mr. K. Koti Reddi:—" Sir, I have no desire to oppose this motion, but I want to bring to the notice of the Government a very important fact, namely, that the Government seem to have omitted an important provision in the matter of preparing the schedules of taxation for motor vehicles. There are already in existence a number of motor lorries, and motor buses running on the roads in this Presidency not on petrol but on crude oil. The Government of India are no doubt getting a fairly decent income not only on motor accessories, tyres and other parts of motors, but also on the consumption of petrol to the extent of 6 to 8 annas per gallon and the Local Government are having only a benefit of 2 annas per gallon in the shape of the Road Development Fund. Now, when we are having introduced into this Presidency motor buses and lorries and probably also cars in future run not on petrol, but on crude oil, it is time therefore that in the schedule, provision should be made for making differentiation between motors running on petrol and those running on crude oil. Especially when there is at present no taxation either by the Government of India or by the Local Government on crude oil and in view of the fact that it can be made a source of income, I do not see why some provision should not be made in the schedule of taxation fixing a higher rate of taxation on motors running on crude oil. Sir, time is not probably far distant when we may have also cars running even on wood fuel, I have read somewhere that such things are manufactured in Germany, however we have not got that type of cars as yet. To-day there are of course buses and lorries run on crude oil and I think to be fair between owners of motor vehicles run on petrol and those owning vehicles run on crude oil, some distinction should be made in the shape of taxation, say, a somewhat higher rate on vehicles run on crude oil, till at least the Government of India bring forward legislation to impose fresh taxation on them, if necessary."

* The Hon. the Raja of Bobbili:—" Sir, I am grateful to the hon. Member for the suggestions he has made, but I wish to point out that these proposals are entirely out of the scope of the present amending Bill. The principle of the present Act does not differentiate between various types of motor vehicles according to the fuel they use. I may add that there are also other classes of vehicles, such as electric cars, vehicles driven by gas and so on; and it is a matter which involves far-reaching changes in the policy of the Government. Moreover, as far as the Local Government are concerned, they have to tax the vehicles in proportion to the amount of damage they cause to the roads. I may also state for the information of the hon. Member that diesel lorries or buses as far as our country is concerned, are said to be still in the experimental stage and I do not see how according to the scheme of the Madras Motor Vehicles Taxation Act, we could differentiate them and tax them higher. As it is considered that ultimately they are going to be an economical form of transport, I think it will be to our interests to give encouragement to these pioneers who have been experimenting these new types of internal combustion engines, and to see how

far they will be successful in this country. The intention of the hon. Member is to give a kind of protection to those who are and have been using vehicles running on petrol. I may also state that the initial cost of the diesel lorry or bus will be nearly 250 or 300 per cent higher than vehicles with similar carrying capacity which are driven by petrol, and so I do not feel, Sir, that we have sufficient data to decide this issue. It is a matter which we may safely leave to the Government of India to bring in legislation when they feel that the new type of diesel vehicles are being introduced in sufficient number to affect the Central revenues. I believe I am right in saying that in Ceylon also the Government, for the first six or seven years, did not impose any restrictions, but of late they think of introducing or have introduced legisla-
-30 tion to tax diesel oil. It is not a very simple matter to tax diesel oil,
.m. because it is also used for industrial purposes. At any rate these are questions not only outside the scope of this legislation, but also outside the jurisdiction of the Government."

The amendment was put and carried.

Clause 6 as amended was put and carried.

The preamble was put and carried.

* The Hon. the RAJA OF BOBBILI:—" Mr. President, Sir, I beg to move that the Bill be passed into law."

The motion was put and carried and the Bill was passed into law.

VIII.—A BILL TO AMEND THE MADRAS BORSTAL SCHOOLS ACT, 1925, FOR CERTAIN PURPOSES (BILL No. 7 OF 1936).

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, I beg to present the Report [a] of the Select Committee on the Bill to amend the Madras Borstal Schools Act, 1925, for certain purposes (Bill No. 7 of 1936), and move that the Bill [a] as amended by the Select Committee be taken into consideration."

The motion was put and carried.

Clauses 1 and 2 were put and carried.

Clause 3.

* Mr. A. B. SHETTY:—" Mr. President, I beg to move—

' For *the word* " *twenty-three* " substitute *the word* " *twenty-four* ".'

According to the existing Act adolescent offenders who are between the ages of 16 and 21 only can be sentenced for Borstal detention. The minimum sentence is two years and the maximum is five years. The effect of the amendment to clause 3 would be to reduce the period of sentence on adolescent offenders aged 21 or very near that, to two years. Experience in England has made them to extend the minimum sentence from one to two years but they retain the period of maximum

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sentence at three years. Experience of Borstal School Governors over a period of more than 25 years has made them give out as their opinion that it is generally advisable that the maximum sentence should be three years though in particular cases the period of detention may be reduced. It is said that the English courts are satisfied by the reports of Borstal authorities that the full term of three years should be given and it should be left to the offender's own good conduct to get it reduced. They consider that the period of three years is the right period, because it gives a lad sufficient time to learn discipline and acquire training in some trade so that he may earn an honest livelihood when he goes out of the Borstal institution. It is said to be the general opinion of Judges and Magistrates in England that in order that the Borstal institute may have a fair chance of success the full term of three years' sentence should be given. It is open to the visiting committee to release a person on licence if they find that he is sufficiently reformed before the period of sentence runs out. Though the English Act permits a sentence of two to three years, Judges are said to be in favour of awarding the maximum sentence of three years and then allow the release of the offenders before the maximum period is over. Discretion is given to the authorities to release an offender before the maximum sentence given to him runs out, provided they find that he has sufficiently reformed. I understand the Home Office in England are considering a proposal which would have the effect of raising the age of detention from 24 to 26. I should wish to know why it is proposed in this Bill to reduce the age of detention from 26 to 23. The Statement of Objects and Reasons does not enlighten us. It only says that they consider it undesirable to retain offenders in a Borstal Institute after the age of 23. My amendment seeks to fix the age of detention at 24, so that the period of three years' sentence as in England may be imposed and the offenders may be given a fair chance for reforming themselves. I find from last year's report on the administration of the Borstal Institute in the province of Bombay that 'the most important feature of the year was the raising of the minimum borstal sentence from two to three years in order to give the delinquent the benefit of a more prolonged treatment.' It is clear from this that people in charge of the Borstal institutions in Bombay have come to the definite conclusion that the minimum period of sentence of detention should not be less than three years. I see from the report of the working of the institutes in our Presidency that there is no difficulty of accommodation at all. There is accommodation at Tanjore and Palamcottah for 1,149 inmates and this accommodation has been found to be quite adequate. According to the latest report there is no overcrowding here. In 1935, out of a number of 668 inmates only 3 were over 23 years of age. Such being the case, I do not think that there will be any practical difficulty in the matter of accommodation. I request the Hon. the Home Member to consider and see whether he cannot enable the delinquents to undergo the maximum treatment of three years by raising the age limit to 24 as proposed by me."

Mr. K. A. NACHIYAPPA GOUNDER:—" *I second the motion.*"

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, I am very sorry I am unable to accept the amendment. Borstal schools are, as my hon. Friend from South Kanara is aware, intended to deal with adolescents with a view if possible to reform them and put them in the right track on their release. As to what could really be called the adolescent stage in a man, I suppose there must be varied opinions and there must be a certain amount of arbitrariness in fixing the age, whatever the age we might fix. At the same time, I think the general impression is that the adolescent stage really ceases in a young man at the age of 21 and that is why we say that the man above that age shall not be sent to the Borstal school. When considering that fact, we have also to take note of the fact that it may not be desirable to retain in a place intended for the proper training of young men, people who have reached a stage of manhood, a stage when the reformative influences of a Borstal school will fall flat on him and the object with which an institution of this sort is run will not be gained. If the matter stood there it may not be so bad. We have also taken note of the fact that these grown up young men up to and beyond 23 years while themselves not responding to the treatment might prove a bad example and be a source of bad influence and counteract the training that is being given by the authorities to the inmates of the institution. I may quote for the information of the hon. House a passage from the Report of the Indian Jails Committee:

> 'The British practice puts the age of adolescence from 16 to 21. A good deal might no doubt be said for extending the higher limit by a year or two. But experience indicates that with every year beyond 20 the prospect of reformation becomes less favourable. We think on the whole that the years 16 to 21 should be recognized as the adolescent period. In order to provide for any change of view which experience may hereafter produce, we would suggest that the power to extend the age to 23 years should be conferred on the Government of India.'

" We are practically doing that by saying that a man who has reached the age of 23 shall not be retained in detention. We think that in trying to reform these young men we should not run the risk of their proving a source of bad example and bad influence on the young men and counteracting the otherwise useful influences. It is for these reasons that I am forced to oppose the amendment.

" As regards the statement made by the hon. Member from South Kanara about the practice in England, I can only say that I am not quite so sure if all his statements were absolutely accurate because my information is that the period of probation generally is between two to three years; but as a matter of practice they do not exceed two years with the result that no man is kept in detention in a Borstal school beyond the age of 23. In comparing 23 in England and 23 in India, we have to take note of the fact that the young man of India develops much more rapidly, this being a tropical country. Probably a young man of 23 in India is as much developed as a young man of 25 or 26 in England and therefore I submit that even as it is we are keeping young men who are much more developed than people of the corresponding age are in England. On these grounds I oppose the amendment."

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* Mr. A. B. SHETTY:—" I am not satisfied with the reply given by the Hon. Member. My Hon. Friend says that circumstances are different in India and in England and if in England a man is not usually retained in the Borstal school after 23, there is greater reason why in India we should not do it. As against this I have already pointed out how in our own country they have extended the minimum sentence to three years in Bombay. In 1925 when the Government introduced the Borstal Bill, the minimum period of sentence was fixed as three years. It was only in the Select Committee stage it was reduced to two years. If as my Hon. Friend says there is the risk of contaminating other people by keeping adolescents after the age of 23, it is up to the Government to open more Borstal schools. In England they have as many as six institutes for boys. When an adolescent is sentenced for Borstal detention he is kept in a special ward in Wormwood Scrubles, and there he is observed for one or two months and then according to the degree of his criminality he is sent to different places. I think there is no use in trying to change the mind of the Hon. Member in this matter. So I do not press my amendment." 3-45 p.m.

The amendment was by leave withdrawn.

Clauses 3 and 4 were put and carried.

Clause 5.

New section 19-E.

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I beg to move this amendment to new section 19-E—

'(*a*) Omit *the words* " *except as a punishment.*"

(*b*) Add *the following proviso at the end*:—

" *Provided that extra drill awarded as a punishment under sub-section* (1) *of section* 19-*D shall not be deemed, for the purposes of this section, to be work* ".' "

The amendment was put and carried.

New section 19-*F*.

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I beg to move—

' For *the Explanation to new section* 19-*F* substitute *the following:*

" *Explanation:—For the purpose of this section the Presidency town shall be deemed to be a district and ' District Magistrate ' shall mean the District Magistrate of the district, or the Chief Presidency Magistrate of the Presidency town, in which the inmate permanently resided at the time he was sentenced under section 8* ".' "

The amendment was put and carried.

Clause 5 as amended and clause 6 were put and carried.

The preamble was put and carried.

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I move that the Bill be passed into law."

The motion was put and carried and the Bill was passed into law.

IX.—A BILL TO PROVIDE FOR THE RELEASE ON PROBATION OF FIRST OFFENDERS (BILL No. 17 OF 1936).

* *The Hon. Rao Bahadur A. T. PANNIRSELVAM:*—" *I beg to introduce* the Bill [a] to provide for the release on probation of first offenders (Bill No. 17 of 1936) and move that the Bill be referred to a Select Committee consisting of the following:—

1 Mr. Basheer Ahmed Sayeed.
2 ,, S. M. K. Beyabani Sahib.
3 ,, H. M. Jagannatham.
4 Diwan Bahadur M. Gopalaswami Mudaliyar.
5 Rao Sahib V. I. Muniswami Pillai.
6 Mr. G. H. Hodgson.
7 ,, U. C. Subrahmanya Bhatt.
8 ,, C. R. Parthasarathi Ayyangar.
9 ,, M. A. Manikkavelu Nayakar.
10 ,, T. C. Srinivasa Ayyangar.
11 ,, Abdul Hameed Khan.
12 ,, V. P. Narayanan Nambiyar.
13 ,, H. M. Hood.
14 The Hon. the Law Member (*the Mover*).

" The Statement of Objects and Reasons is explanatory and I do not think there is any need for saying more to commend it for the acceptance of the House."

* Mr. A. B. SHETTY:—" The desirability for such a legislation has long been urged upon the Government. This measure is long overdue. Though we must thank Government for bringing forward this legislation, I am sorry to note that the Bill is very restricted in its scope. This Bill is meant only for first offenders and a probation order can be passed only when he is between the ages of 21 and 25. The English Probation of Offenders Act is applicable to persons of any age and to old offenders also. In selecting cases to be dealt with by probation no limit is placed upon the court as regards the age of the offenders or the number of offences previously committed. The only question is whether the probationer is likely to be reformed. They are applying probation to old offenders and they have done it with a remarkable degree of success. *In London 30 per cent of the adults are put on probation and with very* good results. I do not understand why this Bill should have been made applicable to only first offenders. In England it was only in the Act

[a] Published in the *Fort St. George Gazette*, dated 18th August 1936.

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of 1887 that they limited the probation system to first offenders. This Act was repealed by the Act of 1907 and under the present law probation is made applicable to a person at any age and in the case of second and subsequent offences also. Probation is said to have proved valuable in regard to old criminals also in selected cases. I hope, Sir, the Hon. Member will see his way to liberalize the provisions of the Bill and bring it into line with the English Act."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I am one who believes in going step by step and we cannot take a leap to jump across."

The motion was put and carried and the Bill was referred to the Select Committee.

IX-A.—APPOINTMENT OF CHAIRMEN OF SELECT COMMITTEES.

* The Hon. the PRESIDENT:—"I appoint Mr. A. B. Shetty as the Chairman of the Select Committee on the Bill further to amend the Madras Children Act, 1920, for certain purposes (Bill No. 18 of 1936); Rao Sahib P. V. Rajagopala Pillai as the Chairman of the Select Committee on the Bill further to amend the Madras Village Courts Act, 1888, for certain purposes (Bill No. 20 of 1936); and Mr. V. P. Narayanan Nambiyar as the Chairman of the Select Committee on the Bill to provide for the release on probation of first offenders (Bill No. 17 of 1936).

"We will go back to Bill No. 13."

II.—A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, FOR CERTAIN PURPOSES (BILL No. 13 OF 1936)—*cont.*

Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, the Hon. Minister has had a talk with me and other members and I am grateful to him for having made a suggestion to obviate the difficulty that was created to the amendment to section 131 of the Act. If, with your permission and the permission of the House, we take up clause 2 of the Bill into consideration, the principle of the amendment which was moved by me could be given effect to by the omission of a few words in the explanation of section 121. Therefore in the first instance I beg to move for leave of the House to re-open clause 2 of the Bill for consideration."

Mr. ABDUL HAMEED KHAN:—"I second it."

* The Hon. the RAJA OF BOBBILI:—"I have no objection."

The motion was put and carried.

Clause 2—cont.

Mr. BASHEER AHMED SAYEED:—"I beg to move—

'Number *the existing clause* 2 *of the Bill as clause* 2 (*b*) *and* insert *the following as clause* 2 (*a*):—

"2 (*a*). *In clause* (*d*) *of the Explanation to sub-section* (3) *of section* 131 *of the Madras District Municipalities Act,*

1920 (hereinafter referred to as the said Act), the u ' tanks in or near temples and mosques ' shall be omitt and in clause 2 (b) as renumbered, for *the words and bra " the Madras District Municipalities Act, 1920 (herein referred to as the said Act) '*, substitute *the words " the Act ".'*

The Hon. Minister is agreeable to this amendment being moved. will give the municipality power to exempt churches, temples mosques from being charged for water-supply. Hitherto, in the e ing section water-supply to tanks is to be deemed non-domestic su which is always liable to charge. This amendment makes it a dom supply bringing it under the scope of exemption. It is hoped the Minister will also endorse my view so that there will be ample lati to exempt these temples and mosques from paying any charge or water consumed by them. I, therefore, move the amendment."

Mr. ABDUL HAMEED KHAN:—" I beg to second the motion. I grateful to the Raja Sahib for his suggestion. Many words are needed to commend this amendment. It will be doing a great se to a large number of people in the mufassal. Apart from the prov that has been made in this amendment it is now open to the mu palities to deal with the matter in as broad a manner as possible hope the Members of the House will accept the amendment."

4 p.m. * Mr. R. M. PALAT:—" Sir, as the Hon. Minister has agree this amendment, I do not want to say much. But I wish to hav recorded all the same that I am entirely opposed to any conces to any religious institution being given simply on the ground tha is a religious institution. Sir, it is really taxing those people wh neither to the temple nor to the mosque nor to the church in fav of those who do go to these religious institutions. Therefore, it clearly an infringement of religious neutrality. I can well un stand the attitude which has been taken up by Mr. Basheer Ahmed by Mr. Abdul Hameed Khan, because, to them both, religion is main thing in life. But I cannot understand the attitude which been taken up by the Congress members Mr. G. Rameswara (*Mr. K. Koti Reddi:* ' He is not a Congress member.')—well then, q Congress members and Mr. T. S. Ramaswami Ayyar. Sir, they cl that they are absolutely neutral in religious matters. Then, sh they not have considered the interests of those who have no religio all and who do not go either to a mosque or a church or a tem as much as the interests of those who go to these institutions? is it simply because they think that the mosques may probabl getting some concessions therefore the temples also should be get these concessions, or is it that they are trying to cajole Muslim opi by yielding to the proposal of Mr. Basheer Ahmed, just in the s way as the Congress has protested on behalf of the Palestine A while it did not take up the cause of the Kenya Indians? Sir, I do

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Mr. V. P. NARAYANAN NAMBIYAR :—" Mr. President, Sir, I rise to support the amendment that has been moved by Mr. Basheer Ahmed Sayeed, and my reason for doing so is only this. The other day, when discussion on the Inams Bill was going on, we heard the hon. Member from Malabar, Mr. K. P. Raman Menon, say that all religious institutions must be scrapped. To-day we hear another hon. Member from Malabar protesting against concessions being made to religious institutions. So, just to avoid the charge that Malabar is an irreligious district, I support this amendment (laughter)."

* The Hon. the RAJA OF BOBBILI :—" With reference to my hon. Friend, Mr. Palat's remarks, I wish to point out that the amendment now accepted does not purport to give any wholesale exemption to religious institutions from being subject to water-tax. We are only making it possible in deserving cases for the local body to give them a free supply and to fix a suitable maximum limit for such free supply, treating water supplied to temples and mosques as water used for domestic consumption."

* The Hon. the PRESIDENT :—" I take it that Mr. Basheer Ahmed Sayeed is withdrawing his previous amendment."

Mr. BASHEER AHMED SAYEED :—" Sir, I do withdraw the amendment that I had already moved. While doing so, I would like to say a few words on the remarks of my hon. Friend from Malabar. I do consider that as a Muslim I am essentially religious. I believe that without religion for any human being his system of conduct or his method of life is worth nothing. That is my honest opinion. There may be differences of opinion on that matter. But so far as this concession is concerned, I say so long as religion existed, I believe in the Government giving concessions, giving reasonable facilities for the observance of their religious principles and religious rites. I should say I am very thankful to the Hon. Minister who appreciated the point and readily consented to give this concession. I do not see why the hon. Memher from Malahar has become disconcerted over this concession. I never knew that he ceased to be a Hindu. If I had known that he had ceased to be a Hindu . . ."

Mr. R. M. PALAT :—" It does not follow at all. My position is that in making an amendment of this kind you are really taxing people who do not go to these religious institutions doubly for the sake of those who go there. It does not matter whether I had any religion or not."

Mr. BASHEER AHMED SAYEED :—" I should point out to him in continuation of what I have said that it is a wrong opinion to say that people who are not going to the temples or mosques are being taxed in favour of people who are going to temples or mosques. On the other hand, those who go to mosques or temples also pay tax. Probably they are made to pay a second time in preference to people who do not go. I do not see why we should stand in the way of Government giving concessions for people who want to have their

religious observances. After all, as I pointed out, it is a small concession, and the loss or inconvenience thereby caused to the municipality will be next to nothing. I should, on the other hand, on behalf of the Hindus, the Muslims and the Christians thank the Hon. Minister for having been so kind in accepting the amendment."

* The Hon. Sir CHARLES SOUTER:—" Just one observation, Sir. In other words, a man's religion does not depend on his drinking water (laughter)."

The amendment of Mr. Basheer Ahmed Sayeed in clause 4 and the further amendment of Mr. T. S. Ramaswami Ayyar thereto were by leave withdrawn.

The Hon. the PRESIDENT:—" The question is—

'Number *the existing clause 2 of the Bill as clause 2 (b) and* insert *the following as clause 2 (a)*:

" 2 (a) *In clause (d) of the Explanation to sub-section (3) of section* 131 *of the Madras District Municipalities Act,* 1920 *(hereinafter referred to as the said Act), the words ' tanks in or near temples and mosques ' shall be omitted."*

and in clause 2 (b) as renumbered, for *the words and brackets " the Madras District Municipalities Act,* 1920 *(hereinafter referred to as the said Act),"* substitute *the words " the said Act " '."*

The amendment was put and carried.

Clause 2 as amended and clause 4 were put and carried.

The preamble was then put and carried.

The Hon. the RAJA OF BOBBILI:—" Sir, I now beg to move that the Bill be passed into law."

The motion was put and carried and the Bill was passed into law.

X.—DATE OF THE NEXT MEETING OF THE COUNCIL.

* The Hon. the PRESIDENT:—" Will the Hon. the Leader of the House be able to say when it will be convenient for the Government to have the Council meeting again? "

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I regret I am not able to specify the exact date when we will be meeting again. That there will have to be at least one more meeting of the Council, there is no doubt. It is considered desirable to have that meeting before we begin the preliminary work for the coming elections. It appears as if we will have to begin the election with reference to the depressed classes panel of candidates somewhere early in December. The meeting will therefore be before then, that is towards the end of November or very early in December. The exact date will be intimated to you, Sir, and the hon. Members may be informed by you."

The House then adjourned *sine die.*

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

Appendix I.

[Vide answer to question No. 367 asked by Mr. V. T. Arasu at the meeting of the Legislative Council held on the 4th September 1936, page 820 supra.]

Names of Medical Officers who have been serving in the City of Madras for a continuous period of ten years and more.

I. Civil Assistant Surgeons.

Name. (1)	Date of joining Madras City. (2)	Present appointment. (3)
1 P. Venkatagiri, M.D. ..	26th July 1917..	Lecturer in Midwifery, Stanley Medical School, Madras.
2 A. Vasudevan, M.B.B.S.	6th May 1918 ..	Assistant to the Professor of Pathology, Medical College, Madras.
3 G. I. Benjamin	5th June 1923 ..	Assistant Surgeon, Barnard Institute of Radiology.
4 Miss A. B. Hardy, M.R.C.S. (Edin.).	6th July 1923 ..	Lecturer in Pathology, Lady Willingdon Medical School for Women, Madras.
5 Miss E. Maduram, F.R.C.S. (Edin.).	1st July 1924 ..	Lecturer in Surgery, Lady Willingdon Medical School for Women, Madras.
6 Mrs. T. Parukutti Raman, M.R.C.P., D.P.H. (Edin.), D.T.M. & H. (Lond.).	1st July 1924 ..	Lecturer in Pathology, Lady Willingdon Medical School for Women, Madras.
7 K. Rama Menon, F.R.C.S. (Edin.)	3rd July 1925 ..	Lecturer in Orthopædics, Medical College, Madras.
8 Mrs. M. John, F.R.C.S. (Edin.)	7th July 1926 ..	Pediatrics Department, Government Victoria Hospital for Caste and Gosha Women, Madras.

II. Civil Surgeons.

9 M. R. Guruswami Mudaliyar, B.A., M.D.	20th June 1917.	Acting Professor of Medicine, Medical College, Madras.
10 K. Koman Nair, D.O.M.S. (Lond.).	16th December 1918.	Assistant Superintendent, Government Ophthalmic Hospital, Madras.
11 A. Lakshmanaswami Mudaliyar, B.A., M.D. F.C.O.G. (Eng.).	12th January 1920.	Second Obstetric Physician and Gynæcologist, Government Hospital for Women and Children, Madras.
12 K. Venkatachalam ..	2nd July 1921.	Research Officer, Pharmacological Unit, Medical College, Madras.
13 M. J. Santhanakrishna Pillai, D.M. (Univ. Edin.)	5th July 1922.	Medical Superintendent, Barnard Institute of Radiology, Madras.
14 P. V. Cherian, D.L.O. (Eng.), F.R.C.S. (Edin.).	15th July 1922.	Ear, Nose and Throat Surgeon, Government General Hospital, Madras.
15 B. T. Krishnan, B.A., M.B.B.S., M.SC.	26th August 1923.	Professor of Physiology, Medical College, Madras.
16 H. S. Hensman, M.P.C. ..	15th September 1924.	Superintendent, Government Mental Hospital, Madras.

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II. Civil Surgeons—cont.

Name.	Date of joining Madras City.	Present appointment.
(1)	(2)	(3)
17 E. Achyutha Menon, F.R.C.S. (Edin.).	2nd March 1925.	Surgeon-in-charge, Ante-Natal Department, Government Hospital for Women and Children, Madras (under orders of transfer to Vizagapatam).
18 A. S. Mannadi Nayar, PH.D. (Edin.).	13th August 1925.	Professor of Bio-Chemistry, Medical College, Madras.
19 S. Ramakrishnan, D.T.M. & H. (Lond.).	12th June 1926.	Professor of Bacteriology, Medical College, Madras.
20 P. K. Koshy, B.A., M.B,B.S., F.R.C.P. (Edin.).	15th July 1926.	Professor of Anatomy, Medical College, Madras.

III. I.M.S. Officers.

21 Lieut.-Col. R. E. Wright, I.M.S.	18th March 1920.	Superintendent, Government Ophthalmic Hospital and Professor of Ophthalmology, Medical College, Madras.
22 Lieut.-Col. C. Newcomb, I.M.S.	4th December 1920.	Permanent appointment— Chemical Examiner to Government. Officiating appointment— Surgeon-General to Government of Madras.
23 Lieut.-Col. K. G. Pandalai, I.M.S.	24th February 1922.	Permanent appointment— Professor of Operative Surgery, Medical College, Madras. Acting appointment— Professor of Surgery, Medical College, Madras.

APPENDIX II.

[Vide answer to question No. 368 asked by Mr. V. T. Arasu at the meeting of the Legislative Council held on the 4th September 1936, page 820 supra.]

Statement showing the number of paid and honorary medical officers in the Government Royapetta Hospital, Madras, in the years 1930 and 1936.

Year.	Designation of paid officers.	Number.	Designation of honorary medical officers.	Number.
1930 ..	Superintendent	1	Honorary Physician ..	1
	Resident Medical Officer.	1	Honorary Assistant Physician.	1
	Civil Assistant Surgeons.	2	Honorary Ophthalmic Surgeon.	1
	Sub-Assistant Surgeons (Men).	4	Honorary Assistant Surgeon, Ophthalmic department.	1
	Sub-Assistant Surgeon (Woman).	1		
		9	..	4

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Year.	Designation of paid officers.	No.	Designation of honorary medical officer.	No.
1936 ..	Superintendent	1	Honorary Physicians ..	2
	Resident Medical Officer.	1	Honorary Ophthalmic Surgeon.	1
			Honorary Assistant Surgeons.	2
			Honorary Assistant Surgeon, Ophthalmic department.	1
			Honorary Ophthalmic Clinical Assistant.	1
			Honorary Woman Sub-Assistant Surgeon.	1
			Honorary Sub-Assistant Surgeon.	1
			Honorary Clinical Assistant.	1
			Honorary Clinical Assistant, E.N.T.	1
		2		11

Appendix III.

[Vide answer to question No. 371 asked by Mr. K. S. Sivasubrahmanya Ayyar at the meeting of the Legislative Council held on the 4th September 1936, page 821 supra.]

Copy of report of investigations on pests and diseases of paddy crop in Tanjore delta.

Introduction.—With reference to the Endorsement No. D.-3-118/36, dated the 24th January 1936, from the Director of Agriculture, Madras, the investigation was taken up immediately and the following taluks were examined, viz., Mayavaram, Nannilam, Negapatam, Tiruturaipundi, Mannargudi, Papanasam, Kumbakonam and Pattukkottai, between the period 31st January 1936 to 16th February 1936 in co-operation with the Deputy Director of Agriculture, V Circle, Trichinopoly. The Joint Secretaries of the Tanjore Mirasdars' Association were met and affected centres of damage in each taluk were examined with their co-operation. Typical centres, where the disease was reported to be severe, were visited and, for comparison, other less affected centres were also examined.

2. *Blast.*—The damage to paddy crop this year, in various taluks, is found to be more due to the "paddy blast" than to any other cause. The variety korangu samba (known also as kattai sambalai and sadai thillai) has suffered worst from the blast. Other varieties such as Nellore samba, red and white sirumoni, ottadon, etc., were to a great extent free. In this connexion, it is to be noted that the heavy [illegible] " [illegible] samba " has been known to be susceptible to blast.

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3. *Paddy stem borer.*—The paddy stem borer was found rather uniformly distributed both in the different taluks and different varieties of paddy to the extent of 2—7 per cent. The following facts with regard to the borer are clear:—

(i) The extent of damage as recorded by counts does not show any abnormal deviation from a normal condition.

(ii) The weather conditions reported by ryots do not seem to have produced any rise in borer attack at any rate.

4. *Miscellaneous causes.*—In a few places in Negapatam, Tiruturaipundi and Mannargudi, there were stray patches of unopened, partially opened or aborted earheads probably caused by the "soorai" disease in early stages of the growth of the crop but this is insignificant compared to the damage by the blast at the flowering stage and after. In worst affected areas there are about 5—10 per cent of the earheads wholly turned to chaff but for which no definite cause can be ascertained.

5. *Conclusion.*—Our examination has shown that the damage to standing crop was mostly due to the paddy blast whereas the stem borer and soorai were noted to cause only slight damage.

APPENDIX IV.

[Vide answer to question No. 375 asked by Mr. V. T. Arasu at the meeting of the Legislative Council held on the 4th September 1936, page 824 supra.]

Statement showing the tours performed by the Hon. Ministers between April and July 1936, the purpose for which they were made and their cost.

Month and year. (1)	Places toured. (2)	Purpose. (3)	Cost. (4) RS.	A.	P.
	The Hon'ble Mr. P. T. Rajan.				
April 1936 ..	Madura, Coimbatore, Tiruppur and Tiruvarur.	Inspection ..	307	14	0
May 1936 ..	Tiruturaipundi	Do. ..	46	6	0
June 1936 ..	Ootacamund to Madras, Salem, Calicut and Tellicherry.	Do. ..	328	14	0
July 1936 ..	Madras to Ootacamund	Do. ..	70	8	0
July 1936 ..	Ootacamund to Madras via Gudalur and Trichinopoly.	Do. ..	230	0	0
	The Hon'ble Diwan Bahadur S. Kumaraswami Reddiyar Avargal.				
April, May and June 1936.	Nil.	..	..		
July 1936 ..	Palni	Inspection ..	151	4	0
Do. ..	Mayavaram and Nannilam ..	Do. ..	86	0	0
Do. ..	Jalarpet and Tiruppattur ..	Do. ..	88	14	0

APPENDIX V.

[Vide items V and VI at pages 840 and 846 supra.]

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

The Select Committee appointed to consider the Bill further to amend the Madras City Police Act, 1888, and the Madras City Police (Amendment) Act, 1907, and the Bill further to amend the Madras District Police Act, 1859 (Bills Nos. 8 and 9 of 1936) has the honor to make the following report.

2. The Bill further to amend the Madras City Police Act, 1888, and the Madras City Police (Amendment) Act, 1907 (Bill No. 8 of 1936) was published in the *Fort St. George Gazette*—

in English on the 10th March 1936,
in Tamil, in Telugu } on the 17th March 1936.

The Bill further to amend the Madras District Police Act, 1859, for certain purposes (Bill No. 9 of 1936) was published in the *Fort St. George Gazette*—

in English on the 10th March 1936,
in Tamil, in Telugu, in Kanarese, in Malayalam, in Hindustani } on the 17th March 1936.

3. The Committee met on the 15th May 1936 in the Committee Room, Secretariat Buildings, Stonehouse Hill, Ootacamund, for the purpose of considering the provisions of the Bill and on the 16th May 1936 for considering the draft report.

4. The Committee approve of the Bills as introduced and have no amendments to propose.

5. Since there have been no amendments the Committee consider that no republication is necessary.

STONEHOUSE HILL,
16*th May* 1936.

A. B. SHETTY,
Chairman.

[4th September 19.

BILL No. 8 OF 1936.

A Bill further to amend the Madras City Police Act, 1888, *and the Madras City Police (Amendment) Act,* 1907, *for certain purposes.*

(As approved by the Select Committee.)

WHEREAS it is expedient further to amend the Madras City Police Act, 1888, and the Madras City Police (Amendment) Act, 1907, for the purposes hereinafter appearing; Ma III Ma III

AND WHEREAS the Secretary of State for India in Council has authorized the Local Legislature to amend the said Acts in so far as they provide for the control by the Inspector-General of Police of the administration of the Madras City Police;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows :—

Short title. **1.** This Act may be called the Madras City Police (Amendment) Act, 1936.

Amendment of section 3, Madras Act I of 1888. **2.** In section 3 of the Madras City Police Act, 1888 (hereinafter referred to as the said Act), at the end of the definition of "common gaming house," the following words shall be added, namely :— Ma III

> "and includes any enclosure, room or place opened, kept or used or permitted to be opened, kept or used for the purpose of gaming on a horse race."

Amendment of section 11, Madras Act III of 1888. **3.** In section 11 of the said Act, for the words "fine, suspend, reduce or dismiss any member thereof; provided that no fine shall exceed one month's pay," the words "dismiss, suspend or reduce to a lower post or time-scale or to a lower stage in a time-scale, any member thereof and may order the recovery from the pay of any such member, of the whole or part of any pecuniary loss caused to Government by his negligence or breach of orders" shall be substituted.

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4. In section 17 of the said Act, for the words "special constable" the words "special police officer" shall be substituted and the following sentence shall be added at the end, namely:— **Amendment of section 17, Madras Act III of 1888.**

"Every special police officer so appointed shall receive a certificate in such form as the Local Government may determine under the signature of the Commissioner."

5. In sections 18 and 19 of the said Act, for the words "special constable," the words "special police officer" shall be substituted. **Amendment of sections 18 and 19, Madras Act III of 1888.**

6. For section 21 of the said Act, the following section shall be substituted, namely:— **Substitution of new section for section 21 in Madras Act III of 1888.**

"21. (1) On the application of any person and at his charge, the Commissioner may, for the purpose of keeping the peace or preserving order at any place or of enforcing the provisions of this or of any other Act in respect of any specified class of offences, appoint additional police officers of such rank or grade, on such pay, if any, and for such time, as he may think fit: **Power to appoint additional police officers.**

Provided that on the expiry of one month from the receipt of notice in writing from the applicant or his representative or on the expiry of such shorter period as the Commissioner may fix, the Commissioner shall discontinue police officers so appointed.

(2) Every additional police officer so appointed—

(*a*) shall receive a certificate in such form as the Local Government may determine, under the signature of the Commissioner; and

(*b*) shall have such of the powers and duties of an ordinary police officer of like rank as are specially mentioned in the certificate referred to in clause (*a*) and shall, in the exercise or performance thereof, have the same protection and privileges, be amenable to the same penalties, and be subordinate to the same authorities as such officer."

Amendment of section 51, Madras Act III of 1888.

7. In *section 51 of the said Act, for the* words and figures " shall be deemed guilty of cheating punishable under section 417 of the Indian Penal Code," the following words shall be substituted, namely :—

" shall be liable on conviction to fine not exceeding five hundred rupees or to imprisonment not exceeding six months or to both."

Amendment of section 71, Madras Act III of 1888.

8. In section 71 of the said Act—

(i) for clause (v), the following clause shall be substituted, namely :—

" (v) Whoever, without reasonable cause, drives, drags or pushes any vehicle otherwise than on the near or left side of a street, road or thoroughfare, or fails to obey the directions of a Police officer for the time being in charge of the regulation of traffic in any street, road, thoroughfare or place of public resort "; and

(ii) for clause (xvi), the following clause shall be substituted, namely :—

" (xvi) Whoever, without the consent of the owner or occupier, in any manner affixes or causes to be affixed any bill, notice, document, paper or other thing upon the street, road, thoroughfare or place of public resort or upon any building, monument, statue, effigy, post, wall, fence, tree or other erection therein, or in any manner defaces, disfigures, writes upon or otherwise marks, or causes to be defaced, disfigured, written upon, or otherwise marked, the street, road, thoroughfare or place of public resort or any such building, monument, statue, effigy, post, wall, fence, tree or erection."

Amendment of section 81, Madras Act III of 1888.

9. In section 81 of the said Act, for the words " done under the provisions of this Act," the words " done either under the provisions of this Act or under the provisions of any other law for the time being in force, conferring powers on the police " shall be substituted.

Amendment of section 2, Madras Act II of 1907.

10. In section 2 of the Madras City Police (Amendment) Act, 1907, after the words " functions under the said Act," the words and figure " except those under

section 7 thereof " shall be inserted, and the following words shall be omitted, namely :—

"provided that such control and direction shall not extend to any matter in respect of which the said Commissioner of Police is, under the said Act, expressly made subject to the control and direction of the Local Government."

BILL No. 9 OF 1936.

A Bill further to amend the Madras District Police Act, 1859, for certain purposes.

(As approved by the Select Committee.)

of WHEREAS it is expedient further to amend the Madras District Police Act, 1859, for the purposes hereinafter appearing;

AND WHEREAS the Secretary of State for India in Council has authorized the Local Legislature to amend the said Act in so far as it relates to matters of discipline and conduct of the members of the Police force;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows :—

1. This Act may be called the Madras District Police (Amendment) Act, 1936. **Short title**

2. In the preamble to the Madras District Police Act, 1859 (hereinafter referred to as the said Act), the words " at the disposal of the Magistrate " shall be omitted. **Amendme[nt] of the p[re]amble to [Act] XXIV of 1859.**

3. In section 1 of the said Act— **Amendme[nt] of section [1,] Act XXI[V] of 1859.**

(i) for the definition of " subordinate ", the following definitions shall be substituted, namely :—

" the expression ' superior police ' shall mean the Inspector-General of Police, Deputy Inspectors-General of Police, District Superintendents of Police, Assistant Superintendents of Police and Deputy Superintendents of Police;

the expression ' subordinate police ' shall mean all police officers of and below the rank of an Inspector "; and

(ii) in the definition of "property", for the word "chattel", the words "movable property" shall be substituted.

Amendment of section 5, Act XXIV of 1859.

4. In section 5 of the said Act, for the word "subordinates", the words "superior police officers" shall be substituted.

Amendment of section 10, Act XXIV of 1859.

5. In section 10 of the said Act, for the words "all Police officers", the words "all officers of the subordinate police" and for the words "fine to any amount not exceeding one month's pay any Police officer", the words "reduce to a lower post or time-scale or to a lower stage in a time-scale any such Police officer" shall be substituted and the following shall be added at the end, namely:—

"and may order the recovery from the pay of any such police officer of the whole or part of any pecuniary loss caused to Government by his negligence or breach of orders".

Amendment of section 13, Act XXIV of 1859.

6. In section 13 of the said Act—

(i) after the words "Inspector-General of Police" the words "or any Deputy Inspector-General" shall be inserted;

(ii) after the words "Inspector-General" in both the places where they occur, the words "or Deputy Inspector-General" shall be inserted; and

(iii) for the words "depute" and "deputation," the words "appoint" and "appointment" shall respectively be substituted.

Amendment of section 16, Act XXIV of 1859.

7. In section 16 of the said Act, for the words "tumult, riot or outrage," the words "unlawful assembly or riot or disturbance of the peace" shall be substituted.

Amendment of section 17, Act XXIV of 1859.

8. In section 17 of the said Act, the following sentence shall be added at the end, namely:—

"He shall receive a certificate in such form as the Local Government may determine, under the signature of the Magistrate who appointed him."

Amendment of section 44, Act XXIV of 1859.

9. In section 44 of the said Act, for the words and figures "wilful breach of any lawful orders and regulations not punishable under section 10 of this Act", the words "wilful breach or neglect of any rule or regulation or lawful order made by competent authority" shall be substituted.

10. For section 50 of the said Act, the following section shall be substituted, namely:— **Substitution of new section for section 50 in Act XXIV of 1859.**

"50. Any charge against a police officer above the rank of a constable under this Act shall be enquired into and determined only by an officer exercising the powers of a Magistrate."

11. In section 52 of the said Act, for the words "goods and chattels," the words "movable property" shall be substituted. **Amendment of section 52, Act XXIV of 1859.**

12. In section 53 of the said Act, for the words "under the provisions of this Act or under the general Police-powers hereby given" the words "either under the provisions of this Act or under the provisions of any other law for the time being in force, conferring powers on the police" shall be substituted. **Amendment of section 53, Act XXIV of 1859.**

13. After section 54 of the said Act, the following section shall be inserted, namely:— **Insertion of new section 54-A in Act XXIV of 1859.**

"54-A (1) The Local Government may, by notification in the *Fort St. George Gazette*, extend to any town all or any of the provisions of the Madras City Police Act, 1888, mentioned in the Schedule and may declare such extension to be subject to such modifications as they think fit.

(2) The Local Government may, by notification in the *Fort St. George Gazette*, cancel or modify any such notification as is referred to in sub-section (1)."

14. To the said Act, the following Schedule shall be added, namely:— **Insertion of new schedule in Act XXIV of 1859.**

"*Schedule.*

Definitions of 'imprisonment', 'Gaming', 'Instruments of gaming', 'common gaming house' and 'conviction' in section 1, sections 23, 24, 26, 28, 33, 48, 50, 61, 63, 64, 65 and 66, clauses (iii), (iv), (v), (vi), (vii), (viii), (x), (xiii), (xiv), (xv), (xvi), (xvii), (xviii) and (xx) of section 71 and sections 73, 74, 75, 77, 78, 79 and 80."

APPENDIX VI.

[Vide item VII at page 848 supra.]

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

The Select Committee appointed to consider the Bill further to amend the Madras Motor Vehicles Taxation Act, 1931, for certain purposes (Bill No. 2 of 1936) has the honour to make the following report.

2. The Bill was published in the *Fort St. George Gazette*—

in English on the 14th January 1936.
in Tamil, in Telugu, in Kanarese and in Malayalam } on the 28th January 1936.

3. The Committee met on the 30th April 1936 in the Committee Room, Secretariat Buildings, Stonehouse Hill, Ootacamund, for the purpose of considering the provisions of the Bill and on the 1st May 1936 for considering the draft report.

4. The Select Committee agreed, on the motion of Mr. Langley, that the Government should have power to grant a rebate in case of half-yearly and annual licences. In pursuance of this decision the following explanation was substituted for the explanation in the Bill as introduced :—

"The tax for a half-yearly licence shall not exceed twice and the tax for an annual licence shall not exceed four times the tax for a quarterly licence. The Local Government shall have power to grant a suitable rebate in case of the half-yearly and annual licences."

5. The Committee feel that a reasonable period of grace should be given for taking out licences not only to the visiting motorists but also to the people of this Presidency when they buy a new motor vehicle and strongly

recommend to the Government that suitable rules should be framed under this Act providing for such period of grace.

6. In clause 2 (1) (*c*) and clause 6, Schedule III, the Committee substituted ' seven days ' and ' thirty days ' for ' one week ' and ' one month ' wherever they occur. This was done with a view to define the period more accurately.

7. In Schedule III, item 3, line 2, after the word ' hire ' the Committee added the words ' not used in the course of trade ' since they felt that this concession should not be given to motor buses and lorries employed in trade.

8. Since no substantial changes have been made in the Bill the Committee consider that no republication is necessary.

YAHYA ALI,
Chairman.

[**Note.—Changes made by the Select Committee are shown in clarendon type.**]

BILL No. 2 OF 1936.

A Bill further to amend the Madras Motor Vehicles Taxation Act, 1931, *for certain purposes.*

(As amended by the Select Committee.)

as WHEREAS it is expedient further to amend the Madras
II of Motor Vehicles Taxation Act, 1931, for the purposes hereinafter appearing;

And whereas the previous sanction of the Governor-General has been obtained to the passing of this Act;

[4th September 1936

itle. It is hereby enacted as follows:—

1. This Act may be called the Madras Motor Vehicles Taxation (Amendment) Act, 1936.

nent on 5, of **2.** (1) For sub-section (1) of section 5 of the Madras Motor Vehicles Taxation Act, 1931 (hereinafter referred to as the said Act), the following sub-section shall be substituted, namely:— Madras Act III of 1931.

"(1) (*a*) The tax levied in pursuance of a notification issued under sub-section (1) of section 4 shall be paid by the registered owner or person having possession or control of the motor vehicle, at his choice, either quarterly, half-yearly or annually, upon a quarterly, half-yearly or annual licence to be taken out by him.

Explanation.—The tax for a half-yearly licence shall **not exceed** twice and the tax for an annual licence shall **not exceed** four times the tax for a quarterly licence. **The Local Government shall have power to grant a suitable rebate in case of the half-yearly and annual licences.**

(*b*) Where the tax for any motor vehicle has been paid for any quarter, half-year or year and the vehicle has not been used during the whole of that quarter, half-year or year or a continuous part thereof not being less than one month, a refund of the tax at such rates as may, from time to time, be notified by the Local Government, shall be payable subject to such conditions as may be specified in such notification.

(*c*) Notwithstanding anything contained in section 4 or in clauses (*a*) and (*b*), the Local Government may, by notification in the *Fort St. George Gazette*, from time to time, direct that a temporary licence for a period not exceeding **thirty days** at a time may be issued in respect of any class of motor vehicles on payment of such tax (not

exceeding the maximum specified in Schedule III) and subject to such conditions, as may be specified in such notification.

(*d*) No motor vehicle shall be used on any public road in the Presidency of Madras at any time after the issue of a notification under sub-section (1) of section 4, unless a licence permitting such use during such time has been obtained under clause (*a*) or clause (*c*)."

(2) In sub-section (2) of the same section, for the word "quarter" in both the places where it occurs, the word "period" shall be substituted.

(3) In clause (*a*) of sub-section (3) of the same section—

(i) in sub-clause (i), for the words "quarter or quarters" the word "period" shall be substituted; and

(ii) in sub-clause (ii), before the word "record," the words, letter, figure and brackets "in the case referred to in clause (*a*) of sub-section (1)," shall be inserted and for the words "quarter or quarters," the word "period" shall be substituted.

3. In sub-section (2) of section 6 of the said Act, for the words "licence has been obtained in respect of such vehicle for the quarter then current," the words "licence has been duly obtained in respect of such vehicle" shall be substituted. **Amendment of section 6, Madras Act III of 1931.**

4. In section 7 of the said Act, after the words "the tax due by him in respect of such vehicle," the words "for the quarter or quarters concerned" shall be inserted. **Amendment of section 7, Madras Act III of 1931.**

5. In sub-sections (1) and (2) of section 17 of the said Act, after the word and figures "Schedule II," the words and figures "or Schedule III" shall be inserted. **Amendment of section 17, Madras Act III of 1931.**

[4th September 19

Insertion of new Schedule III in Madras Act III of 1931.

6. After Schedule II to the said Act, the following Schedule shall be added, namely :—

"SCHEDULE III."

[*See* section 5 (1) (c).]

Classes of vehicles.	Maximum tax for vehicles fitted with pneumatic tyres.				Maximum tax for other vehicles.			
	For a period not exceeding seven days.		For a period exceeding seven days but not exceeding thirty days.		For a period not exceeding seven days.		For a period exceeding seven days but not exceeding thirty days.	
(1)	(2)		(3)		(4)		(5)	
	RS.	A.	RS.	A.	RS.	A.	RS.	A.
1. Motor cycles of any horse-power whether used for drawing a trailer or side car or not (including motor scooters and cycles with attachment for propelling the same by mechanical power)	2	0	6	0	2	8	7	8
2. *Motor cars not plying for hire*—								
(a) Weighing not more than 15 cwt. unladen ..	5	0	10	0	6	0	15	0
(b) Weighing more than 15 cwt. but not more than 45 cwt. unladen ..	5	0	15	0	6	0	18	0
(c) Weighing more than 45 cwt. unladen ..	7	0	21	0	10	0	30	0
3. Motor buses and lorries not plying for hire or not used in the course of trade—								
(a) Weighing not more than 15 cwt. unladen ..	10	0	30	0	15	0	45	0
(b) Weighing more than 15 cwt. but not more than 30 cwt. unladen ..	15	0	45	0	25	0	75	0
(c) Weighing more than 30 cwt. but not more than 70 cwt. unladen ..	25	0	75	0	40	0	120	0
(d) Weighing more than 70 cwt. unladen ..	35	0	100	0	50	0	150	0"

R. V. KRISHNA AYYAR,
Secretary to the Council.

APPENDIX VII.

[Vide item VIII at page 852 supra.]

To

THE HONOURABLE THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

The Select Committee appointed to consider the Bill to amend the Madras Borstal Schools Act, 1925, for certain purposes (Bill No. 7 of 1936), has the honour to make the following report.

2. The Bill was published in the *Fort St. George Gazette*—

in English on the 18th February 1936,
in Tamil, in Telugu, in Kanarese, in Malayalam } on the 25th February 1936.

3. The Committee met on the 6th May 1936 in the Committee Room, Secretariat Buildings, Stonehouse Hill, Ootacamund, for the purpose of considering the provisions of the Bill.

The following are the changes effected in the Bill:

In clause 19-B (3), line 2, after the word 'behalf,' the following words were inserted:—

"by the Local Government."

This was done in order to make it clear as to the authority empowered to make rules under this section.

In clause 19-D (1)(vi), line 2, for the word 'thirty,' the word 'eighteen' was substituted. The Committee felt that thirty stripes were excessive and accordingly reduced the number to eighteen.

In clause 19-F (3), in line 3 of the Explanation for the words "the Borstal school concerned is situated" the following words were substituted:—

"the inmate permanently resided at the time he was sentenced under section 8."

This amendment was made with a view to specify the District Magistrate referred to in the section.

As the changes made are slight, the Select Committee consider that no republication is necessary.

M. A. MUTHIA CHETTIAR,
Chairman.

[4th September 193(

[Note.—The changes made by the Select Committee are shown in clarendon type and omissions are shown by dots.]

BILL No. 7 OF 1936.

A Bill to amend the Madras Borstal Schools Act, 1925, for certain purposes.

(As amended by the Select Committee.

Madı Act 1926 WHEREAS it is expedient to amend the Madras Borstal Schools Act, 1925, for the purposes hereinafter appearing;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows :—

ort title. **1.** This Act may be called the Madras Borstal Schools (Amendment) Act, 1936.

nendment section 4, adras t V of 26. **2.** In section 4 of the Madras Borstal Schools Act, 1925 (hereinafter referred to as the said Act)—

(i) in sub-section (1), after the words " The Local Government may," the words " after previous publication " shall be inserted;

(ii) in sub-section (2)—

(*a*) clauses (*a*) and (*c*) shall be omitted and clauses (*b*) and (*d*) shall be relettered (*a*) and (*b*) respectively; and

(*b*) *in clause (b) as so relettered, the word* " classification " shall be omitted;

(iii) the following clauses shall be inserted as clauses (*c*) and (*d*) :—

" (*c*) the grant of permission to the inmates to absent themselves for short periods;

(*d*) visits to and communications with the inmates; and "

(iv) in sub-section (3), the words " except those referred to in the sub-section following " shall be omitted; and

(v) sub-section (4) shall be omitted.

aendment section 8, dras t V of 26. **3.** In the opening paragraph of section 8 of the said Act, after the words " shall not exceed five years," the words " but in no case extending beyond the date on which the adolescent offender will, in the opinion of the ırt, attain the age of twenty-three years " shall be ed.

th September 1936]

4. In section 14 of the said Act, after the words "bad influence on the other inmates of the school," the words, brackets and figures "or in the case of a person directed to be sent to a Borstal school before the commencement of the Madras Borstal Schools (Amendment) Act, 1936, to be over twenty-three years of age" shall be inserted. **Amendment of section 14, Madras Act V of 1926.**

5. After Part III of the said Act, the following Part shall be inserted, namely:— **Insertion of new Part III-A in Madras Act V of 1926.**

"PART III-A.

Control and management of Borstal schools.

19-A. Subject to the orders of the Inspector-General and subject also to the rules made by the Local Government, the control and management of every Borstal school shall vest in a Superintendent appointed by the Local Government. **Management of schools.**

19-B. (1) (*a*) Every Visiting Committee appointed under sub-section (2) of section 3 shall consist of the Sessions Judge, the District Magistrate, the District Educational Officer of the district in which the school is situated and four non-official members appointed by the Local Government. **Constitution, powers and duties of Visiting Committees.**

(*b*) The non-official members shall hold office for a period of two years but shall be eligible for reappointment on the expiry of that period.

(2) It shall be the duty of the Visiting Committee and its members—

(*a*) to visit the school either individually or collectively on such occasions as may be fixed by the rules made under this Act in that behalf for the purpose of ensuring that the provisions of this Act are duly given effect to;

(*b*) to make such suggestions for the improvement of the training therein as are considered necessary and to report to the Local Government or to the Inspector-General from time to time any matter, which, in their opinion, should receive attention and annually on the progress of the school;

(*c*) to interview the inmates immediately after their arrival and to make suggestions, if any, as to the special training which each should receive;

(*d*) to consider cases of release on licence under sub-section (1) of section 15 placed before them by the Superintendent; and

(*e*) to consider such action as may be necessary in regard to the inmates whose term of detention is about to expire.

(3) Subject to such rules as may be made in that behalf, **by the Local Government,** every member of the Committee shall be entitled to call for information from the Superintendent, to examine the records of the school and to take such other action as he deems necessary for the due discharge of his duties.

Classification of inmates.

19-C. (1) The inmates of a Borstal school shall be divided by the Superintendent according to their industry and good conduct into four grades, namely—

(1) the penal grade,

(2) the ordinary grade,

(3) the star grade,

(4) the special star grade.

(2) The privileges of each grade shall be higher than those of the grade preceding, if any.

(3) Every inmate shall, on reception in a Borstal school, be placed in the ordinary grade.

(4) The Superintendent may promote or reduce any inmate from one grade to another in accordance with the provisions of sub-section (5), the rules made under this Act and the general instructions of the Visiting Committee.

(5) Promotions and reductions shall be regulated by close personal observation of the inmates and shall depend specially on their general behaviour, amenability to discipline and attention to instruction both literary and industrial.

4th September 1936]

19-D. (1) The punishments which may be inflicted on an inmate of a Borstal school for offences specified in the Prisons Act, 1894, and the rules made thereunder, shall be in the following forms and in no other:— Punishments for offences.

(i) Formal warning.

(ii) Extra drill.

(iii) Deprivation of any of the privileges of the grade.

(iv) Reduction in grade.

(v) Cuts on the hand by a rattan not exceeding six on each hand.

(vi) Whipping, provided that the number of stripes shall not exceed eighteen.

(2) No punishment shall be awarded to any inmate by any official of the school except by the Superintendent or in his absence the official exercising his functions.

19-E. No inmate of a Borstal school shall, except as a punishment, be made to work for more than eight hours a day. Limitation of hours of work.

19-F. (1) For every inmate released under sub-section (1) of section 15, there shall be a probation officer appointed by the District Magistrate in consultation with the Borstal Association, if any, in the district wherein the school is situated or in the district wherein the inmate permanently resided at the time he was sentenced under section 8. Probation officers.

(2) Two months prior to the release of any inmate, the Superintendent shall request the District Magistrate to appoint a suitable probation officer as provided in sub-section (1).

(3) The District Magistrate shall communicate all appointments of probation officers made under sub-section (1) to the Superintendent in sufficient time for the inmates concerned being informed of their respective probation officers before their release from the school.

[4th September 1

Explanation.—In this section, 'District Magistrate' means the District Magistrate of the district in which . . . **the inmate permanently resided at the time he was sentenced under section 8.**"

Insertion of new section 21-A in Madras Act V of 1926.

6. After section 21 of the said Act, the following section shall be inserted, namely:—

Power of Local Government to discharge an inmate.

"21-A. The Local Government may at any time order the discharge of an inmate of any Borstal school either absolutely or subject to such conditions as they may think fit."